Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

http://www.archive.org/details/n25journalofsoci00ameruoft

CIRCULATING LIBRARY
DISCARDED

65128

Legislative Library Ontario Dept.

Legislative Library Ontario Dept.

Periodicals.

JOURNAL OF SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION

NUMBER XXV.

DECEMBER, 1888.

SARATOGA PAPERS OF 1888.

PART I.

HEALTH AND SOCIAL ECONOMY PAPERS,

WITH THE DISCUSSION ON MEDICAL EDUCATION.

Legislative Library Ontario Dept.

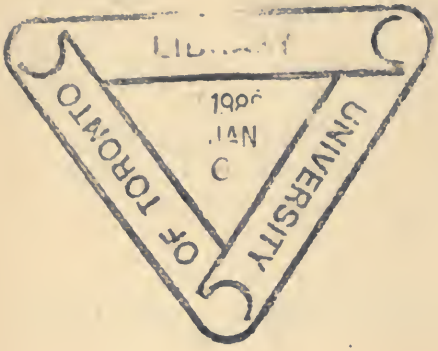
Legislative Library Ontario Dept.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

DAMRELL & UPHAM, BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK.

1888.



H
1
J683
no 25-27

EDITED BY

F. B. SANBORN,

GENERAL SECRETARY OF THE ASSOCIATION,

CONCORD, MASS.

Press of Geo. H. Ellis, 141 Franklin Street, Boston.

CONTENTS OF JOURNAL No. XXV.

	PAGE
INTRODUCTION,	v
GENERAL MEETING OF 1888,	vi
CONSTITUTION AND LIST OF OFFICERS,	ix
PRESIDENT ADAMS ON HIGHER EDUCATION,	xi
JUDGE DEXTER'S BUILDING ASSOCIATION MANUAL,	xiv
I. THE GROWTH AND PURPOSES OF BUREAUS OF STATISTICS OF LABOR. ADDRESS OF THE PRESIDENT, CARROLL D. WRIGHT,	1–14
II. PAPERS AND DEBATES OF THE DEPARTMENT OF HEALTH:	15–97
1. ADDRESS ON REQUIREMENTS FOR A MEDICAL DEGREE. DR. H. H. CURTIS,	15–20
DEBATE ON MEDICAL EDUCATION,	20–27
2. HOW FAR CAN LEGISLATION AID IN MAINTAINING A PROPER STANDARD OF MEDICAL EDUCATION? W. A. PURRINGTON,	28–42
3. THE VALUE OF A LIBERAL EDUCATION ANTECEDENT TO THE STUDY OF MEDICINE. SYLVESTER F. SCOVEL,	43–53
REMARKS OF DR. GRACE PECKHAM,	54–56
FURTHER DEBATE ON MEDICAL EDUCATION,	56–58
4. UNSANITARY CONDITIONS IN COUNTRY HOMES. DR. LUCY M. HALL,	59–74
DEBATE,	74–77
5. THE WORKING-WOMEN OF NEW YORK: THEIR HEALTH AND OCCUPATIONS. ELIZABETH STOW BROWN, M.D.,	78–89
DEBATE ON DR. BROWN'S PAPER,	89–92
6. THE STRUGGLE FOR SUBSISTENCE: HOW CAN IT BE MOST EFFICIENTLY AIDED? HENRY DWIGHT CHAPIN, M.D.,	93–96
DEBATE,	96–97
III. PAPERS OF THE FINANCE AND SOCIAL ECONOMY DEPARTMENTS:	98–177
1. ADDRESS OF THE CHAIRMAN, MR. F. B. SANBORN,	98–99

PAGE

2. Savings Banks in the United States. John P. Townsend, ... 100–111
3. Co-operative Building Associations. Report of the Special Committee, ... 112–124
4. Report on Savings Banks and Building Associations of Illinois. Prof. J. W. Jenks, ... 125–138
5. Co-operative Building and Loan Associations in the State of New York. Seymour Dexter, Esq., 139–148
6. The Dangerous Side of Building Associations. Mr. C. F. Southard, ... 149–151
7. Notes on Provident Institutions in Arkansas, Tennessee, and Texas. Prof. Robert T. Hill, . 152–157
8. Life Insurance. Report of the Committee, . . . 158–163
Hebrew Provident Institutions, ... 163–164
9. The Early History of School Savings Banks in the United States. J. H. Thiry, ... 165–177

INTRODUCTION.

The papers included in this number of the *Journal of Social Science* are about half of the Saratoga papers of 1888. As some misapprehension may exist in regard to the publication of papers by the Association, it may here be said that all papers engaged for the General Meeting of the American Social Science Association are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide. If, therefore, the writers choose to publish their papers elsewhere (to which the Council offers no objection), it must be with the stipulation that these papers may also be published in the *Journal*, at the option of the Council as to the time of publication.

A list of all the addresses and papers at the meeting of 1888 is printed on pages vi. and vii. Those belonging to the Departments of Education and Jurisprudence are withheld until spring.

The papers of the Health Department are here printed in full, except that of Dr. Chapin, of which only an abstract is given; and the discussion is also reported in full.

The papers of the joint meeting of the Finance and Social Economy Departments were those submitted by a special Committee on Provident Institutions in the United States, of which the final organization was the following: —

W. L. Trenholm, Washington, D.C., *Chairman;* F. B. Sanborn, *Secretary;* John P. Townsend, 59 Broad Street, New York; Edmund J. James, University of Pennsylvania, Philadelphia; Gamaliel Bradford, Boston; Joseph Wright, University of Cincinnati; Professor H. C. Adams, Ann Arbor, Mich.; Professor Robert T. Hill, Austin, Tex.; C. C. Jones, Jr., Augusta, Ga.; Rev. H. L. Wayland, Philadelphia; Rev. Oscar C. McCulloch, Indianapolis; Professor J. W. Jenks, Galesburg, Ill.; Hon. Seymour Dexter, Elmira, N.Y.

Mr. George Walker, late consul-general at Paris, who had accepted a place on the committee, died in January, 1888, thereby depriving his associates of the service of a gentleman specially familiar with the subjects investigated. This committee was appointed at the instance of Mr. John P. Townsend, of New York, a well-known authority concerning savings banks and an associate of the International Committee, which proposes to hold a conference at Paris, in July, 1889, to consider the status and result of such institutions throughout the world. The American Committee will continue and complete its reports here submitted, for presentation and preservation at Paris, in July next, and also at the Saratoga meeting of September, 1889.

GENERAL MEETING OF 1888.

The General Meeting of the Association for 1888 was held at Saratoga, N.Y., from the 3d to the 7th of September, inclusive, opening at 8 P.M., September 3, with an address by the President, CARROLL D. WRIGHT, of Boston. The Department of Education met on September 4; the Health Department on September 5; the Department of Jurisprudence on September 6; and the Finance and Social Economy Departments on Friday, September 7. The Election of Officers took place at 8 P.M., Tuesday, September 4. The Order of Business was as follows: —

MONDAY, SEPTEMBER 3.

At 8 P.M. An Address by the President of the Association, CARROLL D. WRIGHT, Esq., on *Bureaus of Statistics of Labor*, followed by a discussion.

TUESDAY, SEPTEMBER 4.

Department of Education.

At 9.30 A.M. An Address by the Chairman, THOMAS WENTWORTH HIGGINSON, Esq., of Cambridge, Mass.

10 A.M. A Paper by JAMES BUCKHAM, of Johns Hopkins University, on *The Teaching of Literature in our Colleges.*

11 A.M. A Paper by Professor D. CADY EATON, of New Haven, Ct., on *Modern French Æsthetics.*

12 o'clock. A Paper by Miss LILIAN WHITING, of the Boston *Traveller*, on *The Art and Ethics of Journalism.*

8 P.M. Report of the General Secretary and Election of Officers.

8.30 P.M. A Paper by BRANDER MATTHEWS, of New York, on *The Dramatic Outlook in America.*

WEDNESDAY, SEPTEMBER 5.

Department of Health.

9.30 A.M. Remarks by the Chairman of the Department, H. HOLBROOK CURTIS, M.D., of New York, on *The Necessity of Additional Requirements for Obtaining a Medical Degree.*

10 A.M. Remarks on *The Value of a Liberal Education Antecedent to the Study of Medicine*, by Rev. SYLVESTER F. SCOVEL, of Wooster University.

11 A.M. A Paper, *How Far can Legislation aid in Maintaining a Proper Standard of Medical Education?* by W. A. PURRINGTON, Esq., of New York.

12 M. A Paper on *The Working-women of New York: Their Health and Occupations*, by ELIZABETH STOW BROWN, M.D., of New York.

8 P.M. A Paper on *Unsanitary Conditions in Country Homes*, by LUCY M. HALL, M.D., of Brooklyn, N.Y.

9 P.M. A Paper by HENRY DWIGHT CHAPIN, M.D., of New York, on *The Struggle for Subsistence: How can it be most efficiently aided?*

THURSDAY, SEPTEMBER 6.

Department of Jurisprudence.

9.30 A.M. Address by Professor FRANCIS WAYLAND, Chairman of the Department.

10 A.M. A Paper by Rev. H. L. WAYLAND, D.D., of Philadelphia, on *The State and the Saloon.*

11 A.M. A Paper, *Is Codification of the Law Expedient?* by W. B. HORNBLOWER, Esq, of New York.

8 P.M. An Address by Hon. C. C. BONNEY, of Chicago, on *The Naturalization Laws and their Enforcement.*

9 P.M. A Paper on *Current Objections to the Exaction of Economic Rent, by Taxation, considered*, by SAMUEL B. CLARKE, Esq., of New York.

FRIDAY, SEPTEMBER 7.

Departments of Finance and Social Economy.

9 A.M. Address by Mr. F. B. SANBORN, Chairman.

9.30 A.M. A Report on *Savings Banks in the United States*, by JOHN P. TOWNSEND, Esq., of New York.

10.15 A.M. A Report on *School Savings Banks*, by J. H. THIRY, Esq., of Long Island City, N.Y.

10.45 A.M. A Report on *Life Insurance.*

11.30 A.M. Reports on *Co-operative Building and Loan Associations*, by the Special Committee, by SEYMOUR DEXTER, of Elmira, N.Y., Professor J. W. JENKS, of Galesburg, Ill., and others.

1 P.M. Reports on *Provident Institutions in the United States*, by Professor ROBERT T. HILL, of Austin, Texas, and Rev. Dr. WAYLAND, of Philadelphia.

The usual vote was passed, authorizing the Chairman and Secretary of each Department to revise the list of Department Committees, subject to the approval of the Council at its next quarterly meeting in New York (office of the Treasurer, 54 Wall Street), on the 18th of December, 1888, at 1 P.M. The list of the Committees will not be printed, therefore, until the next number of the *Journal.*

BUSINESS OF 1888.

As usual, only four of the five Departments of the Association were effectually represented at the General Meetings, the Finance Department having joined with the Social Economy Department in presenting Papers.

It was voted, after the reading of the Reports and Papers prepared by the Special Committee on Provident Institutions, as follows: —

Ordered, That the American Social Science Association send as delegates to the World's Congress of Provident Institutions, to be held in Paris July 3–8, 1889, John P. Townsend, Esq., of New York, Rev. John Graham Brooks, of Brockton, Mass., and such other persons as the Special Committee may see fit to appoint from its own members.

Upon motion of Mr. Sanborn, Miss Agnes Lambert, of Milford House, Clapham, Eng., was chosen a Corresponding Member of the Association; and, upon motion of Mr. Townsend, M. A. de Malarce, of Paris, France, was chosen an Honorary and Corresponding Member.

At a previous General Meeting, Lord Hobhouse, of (15 Bruton Street), London, Eng., was chosen an Honorary Member of the Association.

The Constitution as it now stands, and the list of officers elected on the 4th of September, 1888, will be found on the following pages. Certain resolutions passed by the Health Department are printed in its proceedings.

CONSTITUTION AND OFFICERS

OF THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

CONSTITUTION.

I. This Society shall be called the AMERICAN SOCIAL SCIENCE ASSOCIATION.

II. Its objects shall be classified in five departments: the first, of Education; the second, of Health; the third, of Trade and Finance; the fourth, of Social Economy; the fifth, of Jurisprudence.

III. It shall be administered by a President, as many honorary Vice-Presidents as may be chosen, a Treasurer, a Secretary, and a Council, charged with general supervision; five Department Committees, established by the Council, charged with the supervision of their respective departments; and such Local Committees as may be established by the Council at different points, to serve as branch associations. The Council shall consist of President, Treasurer, and Secretary, the Chairman and Secretary of each Department, and ten Directors, with power to fill vacancies and to make their own By-laws. The President, Vice-Presidents, Treasurer, Chairman, and Secretaries of Departments, and Directors shall be chosen annually by members of the Association, and shall hold office till their successors are chosen. The President, or, in his absence, a Director, shall be Chairman of the Council. The Chairman of the Local Committees shall be chosen at the pleasure of their respective committees. Whenever a Branch Association shall be organized and recognized as such by the Council, its President shall be *ex-officio* one of the Vice-Presidents of the American Association, and, together with the Secretary and Treasurer, shall be entitled to all the privileges of membership in that Association. And whenever a Local Department shall be organized and recognized as such by the Council, its chairman shall become *ex-officio* a member of the parent Association. The Chairman and Secretary of each Department, with the consent of the President of the Association, may appoint such special Department Committees as they may think best. The General Secretary shall be elected for three years, unless he resigns or is removed by a two-thirds vote of the members present and voting in a regular meeting of the Council; and out of his compensation he may pay the salary of an Assistant Secretary, who may also be Secretary of one Department.

IV. Any person may become a member by paying five dollars, and may continue a member by paying annually such further sum as may be fixed at the Annual Meeting, not exceeding ten dollars. On payment of one hundred dollars, any person may become a life-member, exempt from assessments. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The Council shall have sole power to call and conduct General Meetings, and to publish the Transactions and other documents of the Association. The Department Committee shall have power to call and conduct Department Meetings.

VI. No amendment of this Constitution shall be made, except at an annual meeting, with public notice of the proposed amendment.

The officers chosen Sept. 4, 1888, were as follows: —

OFFICERS OF THE ASSOCIATION.

1888–1889.

President, ANDREW DICKSON WHITE, Ithaca, N.Y.

First Vice-President, CARROLL D. WRIGHT, Washington, D.C.

Vice-Presidents.

FRANCIS WAYLAND, New Haven, Conn.
DANIEL C. GILMAN, Baltimore, Md.
MARTIN B. ANDERSON, Rochester, N.Y.
THOMAS C. AMORY, Boston.
RUFUS KING, Cincinnati.
Mrs. JOHN E. LODGE, Boston.
Miss MARIA MITCHELL, Poughkeepsie, N.Y.
Mrs. CAROLINE H. DALL, Washington, D.C.
JOHN EATON, Marietta, Ohio.
HENRY HITCHCOCK, St. Louis, Mo.
THEODORE D. WOOLSEY, New Haven
HENRY B. BAKER, Lansing, Mich.
W. H. DAVIS, Cincinnati.
PLINY EARLE, Northampton, Mass.
HENRY VILLARD, New York.
HUGH THOMPSON, Washington, D.C.
JOHN M. GREGORY, Washington, D.C.
R. A. HOLLAND, St. Louis, Mo.

General Secretary, F. B. SANBORN, Concord, Mass.

Treasurer, ANSON PHELPS STOKES, 54 Wall Street, New York.

Directors.

DORMAN B. EATON, New York.
CHARLES A. PEABODY, New York.
F. J. KINGSBURY, Waterbury, Conn.
T. W. HIGGINSON, Cambridge.
GEORGE T. ANGELL, Boston.
H. L. WAYLAND, Philadelphia.
WASHINGTON GLADDEN, Columbus, Ohio.
GEORGE W. CABLE, Northampton, Mass.
JOHN L. MILLIGAN, Allegheny, Pa.
D. H. CHAMBERLAIN, New York.

Department Officers.

I. *Education.*— SYLVESTER F. SCOVEL, Wooster, Ohio, *Chairman;* HORACE G. WADLIN, 20 Beacon Street, Boston, *Secretary.*

II. *Health.*— H. HOLBROOK CURTIS, M.D., 118 Madison Ave., New York, *Chairman;* GRACE PECKHAM, M.D., 25 Madison Avenue, New York, *Secretary.*

III. *Finance.*— W. L. TRENHOLM, Washington, D.C., *Chairman;* JOHN P. TOWNSEND, 59 Broad Street, New York, *Secretary.*

IV. *Social Economy.*— F. B. SANBORN, Concord, *Chairman;* Prof. E. J. JAMES, Philadelphia, *Secretary.*

V. *Jurisprudence.*— Prof. FRANCIS WAYLAND, New Haven, *Chairman;* Prof. WILLIAM K. TOWNSEND, New Haven, *Secretary.*

Executive Committee.

ANDREW D. WHITE, *President;* F. B. SANBORN, *General Secretary;* ANSON PHELPS STOKES, *Treasurer;* H. G. WADLIN, *Education Secretary;* Dr. GRACE PECKHAM, *Health Secretary;* Prof. FRANCIS WAYLAND, *Jurisprudence Chairman;* W. L. TRENHOLM, *Finance Chairman;* Prof. E. J. JAMES, *Social Economy Secretary.*

MEDICAL AND GENERAL EDUCATION.

The discussion of this subject in the Health Department at Saratoga, fully printed in this number of the *Journal* (pages 15 to 58), will be found timely and instructive. Not less so is an essay in the Chicago *America*, a weekly journal of high aims, by President C. K. Adams, of Cornell University, N.Y., published Sept. 27, 1888, from which extracts may be made in further illustration of the subject. President Adams says: —

We cherish the supposition that we are doing more for education than the people of any other country; and yet it would be difficult, if not impossible, to mention a single branch of instruction in which we are not very greatly excelled on the other side of the Atlantic. There are certain tests by which an education system is to be judged. Roughly speaking, these are the prevailing illiteracy, the condition of the common and the secondary schools, the general standard of the higher institutions of learning, the qualifications of the primary and secondary teachers, the terms on which applicants are admitted to the professions, and the general condition of the professional schools. No one of these tests can be applied to education in America, at the present time, without showing our inferiority. There is one other test that indicates another result: it is the amount of money voluntarily contributed for purposes of education. The latest report of the Commissioner of Education reveals the fact that gifts amounting to about six millions of dollars have been made for educational purposes in the course of the preceding year. As an evidence of patriotic generosity, and of general interest in the subject of education, this showing is altogether creditable. But the educational significance of this fact depends, of course, upon the wisdom with which the money has been generally appropriated; and, when the subject is contemplated from this point of view, we are obliged to make a very large deduction from the result that would follow a wise expenditure of the money. By far the larger part has been given to found new colleges that have not been needed, and thus has only added to the difficulty of making the colleges already in existence what they ought to be. It is universally admitted that the number of institutions of collegiate or university rank is already greater than it should be, and yet the process of multiplication goes on unabated. While, therefore, we are priding ourselves, as a people, upon the amount of money we are giving for higher education, we are constantly increasing the difficulty, through the multiplication of new institutions insufficiently equipped, of putting education upon a high plane of excellence.

There is also prevalent a similar optimism in the matter of collegiate buildings. It was only the other day that an eminently respectable city newspaper, describing a new collegiate building now in process of erection, said that it is to be the finest in the country, and *in the world.* The writer was simply putting into the definite form of positive assertion an impression that is more or less prevalent throughout the country. Here is a statement made in regard to an eminently respectable building, erected at a cost, say, at most, of $300,000. Local satisfaction regards it as one of the most imposing, perhaps the most imposing, without exception, in existence. With what sublime audacity does this patriotic journalist fly in the face of facts! and yet his assertion has not only passed unchallenged, but in all probability it has been believed by a majority of his readers. How many of our people know that one of the minor universities of Great Britain has recently completed a collegiate

building at a cost of more than five hundred thousand pounds sterling? Not to speak of the four millions that were put into the Polytechnicum, at Charlottenburg. How many have had their attention called to the fact that the little Republic of Switzerland, with a territory not a third as large as the State of New York, has recently, from its public treasury, built a chemical laboratory for the polytechnic school at Zürich, at a cost of 1,337,000 francs, and that it has more recently contracted for the building of a physical laboratory at a cost of 994,000 francs? And of those who suppose that needless sums are expended by Harvard, Yale, and Cornell, how many know that the little kingdom of Saxony, only half as large as Vermont, gives from its public treasury, annually, $400,000 to its university, although the institution itself has great wealth, and the professors are mainly supported by the fees of students? Let us indulge in no extravagances and no illusions; let us realize that we are young and vigorous, and that we are growing at a rapid rate; but let us not cherish the erroneous supposition that there is a single well-endowed university in America. Let us remember that the richest of our institutions has an income not much larger than that of a single one of the twenty-four colleges at Oxford. Above all, let us never forget that, while it is necessary for our institutions to depend so largely upon the fees of students, it will be impossible for them to put themselves into the condition of real universities. Until individual endowments are in one way or another very largely increased, the greater part of the work of education must be of the rank of preparatory schools; and consequently, until that day arrives, our young men will continue to flock to Germany for the completion of their training.

The real poverty of our institutions shows itself as well as anywhere, perhaps, in the condition of our schools of law and medicine. It is a fatal defect that a vast majority of these are entirely dependent upon the fees of students. This fact makes it impossible very generally to raise the standard requirements, either for admission or graduation. The consequence is that all over the country there are schools that give the professional degree for about one quarter of the amount of study that is required for a corresponding degree in any one of the countries of Europe. Take, as the most conspicuous examples, the case of the medical schools. Probably a majority of them give the degree in medicine after two courses of lectures of from four to six months each. There is, perhaps, an additional requirement that the student shall have devoted himself, nominally, for two years to the study of medicine. For admission to the school, almost absolutely no education is required. It is no exaggeration to say that a boy of ten years of age, with fair intelligence, could pass the examinations required for admission at a majority of the medical schools in the United States. After two years of study, including from eight to twelve months in the hearing of lectures, students by the thousand are turned loose to practise their ignorance upon the community. It is true that in a very few colleges, perhaps four out of the whole vast number, an effort to improve this state of affairs has been made; but, so long as the material equipment and the salaries of professors are entirely dependent upon the fees of students, obviously no very great success can be reached. While in great Britain, in France, in Germany, even in Spain and Italy, from four to seven years of hard professional study are required before a student can be admitted to the practice of medicine, we are welcoming annually into the professional community hundreds, and perhaps thousands, of young men who are not qualified for admission to a decent European medical school.

Now the difficulty in the way of reform is not the fact that the community does not appreciate the necessity of thorough education. It is

in the fact that the means for such education are not at hand. That there are young men enough in the country desirous of a most thorough education in medicine is sufficiently apparent. But, until there is at least one medical college in the country that is sufficiently endowed to make the salaries of its professors independent of the fees of students, how can a school be expected to pursue a course which will diminish very greatly the number in attendance? What is needed is not the multiplication of medical schools, but the endowment of at least a few institutions with so large sums as to make them independent. And so, in general, we may say that, wherever we look, we find that the most pressing necessity of higher education is not an increase in the number of our institutions, but such an endowment as will enable a few of them to enlarge the scope and thoroughness of their advanced work. This is in accordance with reason as well as with the history of education the world over.

The line on which advances are to be made is not difficult to trace. The colleges will best fulfil their functions by keeping, in the main, to what may fairly be called elementary and disciplinary work. In the way of this there are, indeed, grave difficulties. The most serious one is the fact that the requirements for admission have been made so numerous and so exacting that the student, at the time of entering college, is so far advanced in years that he is hardly content not to be engaged in what will have a definite bearing upon his future vocation. There is, in my judgment, no other step which would do so much to advance the cause of higher education in America as the reduction of the course of study for the bachelor's degree to three years. The present collegiate course is everywhere abnormal in character, for the reason that it is partly preparatory and partly advanced. No school can do the two kinds of work perfectly well unless a clearly defined distinction is made between the two. The colleges ought not to raise the standards for admission. On the contrary, they ought, perhaps, even to lower them. If, for example, the New England colleges, in distinction from the universities, would accept pupils who have simply mastered the elements of Greek, Latin, English. and the mathematics, and then would give the bachelor's degree after three years of good, solid, disciplinary work, say when the student is at the average age of twenty, the change would be the greatest service that could possibly be rendered to the cause of higher education. We could then hope that our professional schools and real universities would be filled with pupils prepared to do creditable work. The change, however, ought to be accompanied with another change of corresponding significance. Harvard and Yale, and Columbia and Cornell, and Michigan, and possibly a few others, ought then to say that they would take no pupils but such as have had the preliminary collegiate course. At the end of three years of successful work, the degree of master should then be given, with such additional specific degree in philosophy, in law, in medicine, in science, or in letters, as the attainments of the student call for. This would correspond with the German custom of including the master's degree in the doctorate. If such a change were to be made, two advantages would result. In the first place, the number taking a collegiate course as a preparation for a professional course would be greatly increased. Thus the students now deciding to omit the preliminary course, simply because their entrance upon professional work will be too long postponed, would be enabled to take a full course of study, and end it with the proper professional degree at the age of not more than twenty-five. The colleges at once would be much fuller than they are to-day, and the legitimate work of preparing students for the higher grades of education would, for the first time in the history of this country, be properly provided for.

JUDGE DEXTER'S WORK ON CO-OPERATIVE SAVINGS BANKS.

This volume, of which mention is made on page 147, and which will be published in 1889, is so important that a further account of it may here be given. It will contain nine chapters and an Appendix, the latter giving in full the laws governing co-operative banks and building associations in the great States of New York, Ohio, Pennsylvania, and Massachusetts, which together have more of these organizations than all the rest of the United States. In the Appendix will also be found all the forms needed for the transaction of business. The first chapter is brief and general, describing Co-operation, whether direct or indirect. The second chapter exhibits this particular method of direct co-operation (the Building Society or Savings and Loan Fund), and shows the benefits to the social body which may flow from it. After this introduction, which is more or less theoretical, the third chapter gives in outline the scheme of a typical Savings and Loan Association, such as the volume deals with. In the fourth chapter there is a brief history of building societies and co-operative banks, their growth and spread in the United States, and their present number and character. The fifth and sixth chapters treat, with care and fulness, the evolution of the principal schemes now in use out of the simple and original association conducted on the "terminating plan," and express positive opinions as to the best scheme now to be followed in America. The seventh chapter considers in detail how associations should be organized under the New York Act of 1887 or any similar law; while the eighth chapter takes up the old law of New York (passed in 1851), and considers the framing of articles of association under that and similar laws,— this discussion being applicable to any State which does not incorporate a definite scheme of organization in the law itself. Forms are here given for such articles of association. Each section is considered by itself, and the changes needful to adapt this law to any of the leading schemes are here pointed out. The final chapter before the Appendix will treat of keeping accounts, and will give forms and explanations of them, and finally will carry through the books an entire set of entries that should be made, giving special prominence to the entries that are exceptional and liable to confuse the inexperience of book-keepers.

It thus appears that this will be a very complete text-book on the subject. It will contain fuller information than we have been able to give concerning the number of building associations in several of the States.

Thus, in Maryland the number is given as 191, of which 158 are in Baltimore,— not 500, as stated by Mr. Rosenthal. The Maryland law of incorporation was passed in 1843; and the first society was formed "in the old Baptist church on Charles Street" March 22, 1846. This was called the Baltimore Building and Loan Association. In Wisconsin, 42 associations are reported, the oldest dating from April, 1884. Mr. Rosenthal believes that there are 125 in Kentucky, one-third of them being near Cincinnati.

I. THE GROWTH AND PURPOSES OF BUREAUS OF STATISTICS OF LABOR.

OPENING ADDRESS BEFORE THE AMERICAN SOCIAL SCIENCE ASSOCIATION AT SARATOGA, SEPT. 3, 1888.

By CARROLL D. WRIGHT,

THE PRESIDENT OF THE ASSOCIATION.

There is in the United States of America a class of offices, State and Federal, devoted to the collection of statistics relating to labor in all its aspects, and to the social, moral, and educational welfare of the people. These offices have different names, but similar duties. Their work is closely allied to that of this association. The topics discussed, and the men who discuss them, indicate this close alliance. Their origin may be said, in some respects, to have found its stimulus in the American Social Science Association. The evolution of the idea underlying these bureaus was rapid, while their extension has been somewhat surprising.

The first bureau was established in the State of Massachusetts in the year 1869, and its history and the motives which led to its creation become interesting. The agitation for labor legislation may be said to have commenced in the State of Massachusetts about 1845. There had been some desultory attempts to secure labor legislation as far back as 1833, but such attempts related mostly to acts for the incorporation of mechanical and agricultural institutions and matters not entirely affecting labor. There had been conventions and meetings held — notably in 1832 — of delegates from farmers, mechanics, and workingmen of New England. They discussed their grievances; and resolutions and an address were adopted, setting forth the burdens under which the laboring classes were suffering from excessive hours, imprisonment for debt, the lack of a lien law, onerous militia service, and other causes. Such affairs took place at times for several years. In 1845, petitions were presented to the legislature of Massachusetts, praying for the regulation of the hours of labor in corporations, eleven hours being the time desired. No action was taken, how-

ever, beyond consideration. The subject came up again in 1850, but legislation was again postponed. In 1852, an attempt was made to have ten hours constitute the legal day; but no action followed. All these attempts, which were similar in their character, induced Major John W. Mahan, an old soldier, a gallant man, a member of the House of Representatives from Boston, and a man whose heart was ever warm for the workingman, to offer, on March 8, 1865, and entirely on his own responsibility, the following order: —

> *Ordered*, That the Judiciary Committee consider the expediency of regulating and limiting the number of hours constituting a day's labor, and of making it a penal offence for any employer to require an employee to labor beyond such number of hours as may be prescribed by law.

This order and several petitions for labor legislation were referred to a joint special committee, of which Mr. Edward H. Rogers, of Chelsea, was chairman on the part of the House. This committee reported a resolve asking for the appointment of an unpaid commission of five to investigate the subject of the hours of labor, which was passed and approved by Governor Andrew. The commission selected under the resolve consisted of William P. Tilden, Henry I. Bowditch, F. B. Sanborn, Elizur Wright, and George H. Snelling. This commission, which was instructed in the resolve creating it "to collect information and statistics in regard to the hours of labor and the conditions and prospects of the industrial classes," gave the matter thorough consideration, and made a report Feb. 7, 1866, recommending, among other things, "That provision be made for the annual collection of reliable statistics in regard to the condition, prospects, and wants of the industrial classes." This commission may be said to have originated the idea of the establishment of the Massachusetts Bureau of Statistics of Labor; for it gave the first clear and positive announcement of the necessity of making a systematic collection of industrial statistics. This particular recommendation was, I have no doubt, the suggestion of our distinguished Secretary, who held a place upon the commission, and who drew its report. He had, in 1865, aided in the organization of this Association; in fact, he issued the call which resulted in its creation. He was one of its executive committee. He knew the necessity of clearly defined statistical information in the working of the association. He knew that social science was the science of the

age,— the science which was to attract the attention of men of benevolence, of broad charity, and of philanthropic motives,— men and women who were willing to aid in the cause of humanity for the sake of humanity. We have a right, then, to say that the American Social Science Association furnished the stimulating thought which ultimately developed its official ally,— the Bureau of Statistics of Labor. In the same year in which this report to which I have referred was made (1866), by the commission named, the legislature of Massachusetts passed another resolve looking to the collection of information on industrial matters. This resolve reads as follows: —

> *Resolved*, That a commission of three persons be appointed by the governor, with power to send for persons and papers, to investigate the subject of the hours of labor, especially in its relation to the social, educational, and sanitary condition of the industrial classes, and to the permanent prosperity of the productive interest of the State.

The commission appointed under this resolve consisted of Amasa Walker, the father of President Francis A. Walker, William Hyde, and Edward H. Rogers. The first two members of the commission made a majority report, and Mr. Rogers submitted a minority report. The reports were presented Jan. 1, 1867; but all concurred in recommending "that a bureau of statistics be established for the purpose of collecting and making available all facts relating to the industrial and social interests of the Commonwealth."

These movements which I have named were all that can be distinctly classed as official prior to the actual creation of the Bureau of Statistics of Labor in Massachusetts. It is probably futile to try to explain fully the immediate reasons which led to the establishment of the bureau at the time it was created, in June, 1869. The two commissions, as we have seen, had recommended such a bureau; but, after their recommendation, the matter had lain dormant for two years. It is difficult to connect the various labor movements, as such, with the actual creation of the bureau. Prior to it, the General Court had shown little regard for labor legislation. Many petitions had been presented in favor of eight hours; and, in this particular year (1869), two petitions had been filed with the legislature for a ten-hour law, but they had been indefinitely postponed. A very important petition, however, was presented, which may have been the immediate turning-point for the estab-

lishment of the bureau. This was a petition of the Knights of St. Crispin, a large society of the shoemakers of the Commonwealth, for an act of incorporation. The petitioners were granted leave to withdraw. It is generally believed that, after their petition had been rejected, fears began to be entertained by the leaders of the dominant party that the labor vote in the State might be lost, and that it was suggested by shrewd politicians that it might be politic to grant some concessions to labor. At all events, after the adverse action on the petitions of the Knights of St. Crispin and the ten-hour men, at a late day in the session a bill was introduced in the Senate, creating the bureau; but it was rejected on its passage to a third reading on the twelfth day of June. On the 14th, this vote was reconsidered, and the bill passed to a third reading under a suspension of the rules. It was amended slightly in the House of Representatives, and finally passed, receiving the governor's approval June 22, 1869. This indicates that the legislature of 1869, for motives of its own, created the bureau, and not the petitions and labors of the workingmen; that is to say, from all that can be gathered, the immediate stimulus to the creation of the bureau was political necessity or expediency.* This idea gains color from the legislative proceedings. It should, however, be remembered that the project of such a bureau had been before the public for three years, as we have seen, and that no good reasons had been given for not having such an office. It is difficult to settle positively the question whether or not the bureau was created from motives of policy. There are many indications, from the records of the time, that public sentiment, if not particularly in favor of systematic investigation, was not against it. The bureau was to be a permanent office of investigation, and in voting for it legislators committed themselves to no special plan of labor reform. The time, perhaps, was ripe for such an office; and its creation marked a new era in the work of statistical science in America.

The language of the law, so far as the functions of the office were concerned, was very broad indeed. These functions are defined as follows: —

> The duties of such bureau shall be to collect, assort, systematize, and present in annual reports to the legislature, on or before the first day of March in each year, statistical details relating to all departments of labor in the Common-

* In nearly every State except Massachusetts, the bureaus have been created after agitation by workingmen and the demands of their organizations.

wealth, especially in its relations to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to the permanent prosperity of the productive industry of the Commonwealth.

The foregoing language has been incorporated, with various modifications, in nearly every law creating a State bureau of similar character in the United States, and in the Federal law creating originally the United States Bureau of Labor, and subsequently in that establishing a Department of Labor.

After the establishment of the Massachusetts bureau, Pennsylvania was the next State to create such an office. This was not until 1872, three years after the establishment of the Massachusetts office. Connecticut followed, in 1873; but, after publishing one annual report, the bureau collapsed. The law creating it was repealed, and no further action was taken in that State until 1885, when the Bureau of Labor Statistics was reorganized. No other State took action until 1877, when Ohio created its Bureau of Labor Statistics. Since that time, that is during the past eleven years, many bureaus have been created, the complete list, with the names, locality, post-office address, the year in which established, and the title of the chief officer, being as follows: —

Bureaus of Statistics of Labor in the United States.

Name of Office.	State.	Post-office Address.	Year established.	Title of Chief Officer.
Bureau of Statistics of Labor,	Massachusetts,	Boston,	1869	Chief.
Bureau of Industrial Statistics,	Pennsylvania,	Harrisburg,	1872	Chief.
Bureau of Labor Statistics,	Connecticut,[1]	Hartford,	1873	Commissioner.
Bureau of Labor Statistics,	Ohio,	Columbus,	1877	Commissioner.
Bureau of Statistics of Labor and Industries,	New Jersey,	Trenton,	1878	Chief.
Bureau of Labor Statistics and Inspection,	Missouri,	Jefferson City,	1879	Commissioner.
Bureau of Labor Statistics,	Illinois,	Springfield,	1879	Secretary.
Bureau of Statistics and Geology,	Indiana,	Indianapolis,	1879	Chief.
Bureau of Labor Statistics,	New York,	Albany,	1883	Commissioner.
Bureau of Labor Statistics,	California,	San Francisco,	1883	Commissioner.
Bureau of Labor and Industrial Statistics,	Michigan,	Lansing,	1883	Commissioner.
Bureau of Labor Statistics,	Wisconsin,	Madison,	1883	Commissioner.
Bureau of Labor Statistics,	Iowa,	Des Moines,	1884	Commissioner.
Bureau of Statistics of Labor,	Maryland,	Baltimore,	1884	Chief.
Bureau of Labor,	United States,[2]	Washington,	1884	Commissioner.
Bureau of Labor Statistics,	Kansas,	Topeka,	1885	Commissioner.
Bureau of Industrial and Labor Statistics,	Maine,	Augusta,	1887	Commissioner.
Bureau of Labor Statistics,	Minnesota,	St. Paul,	1887	Commissioner.
Bureau of Labor Statistics,	No. Carolina,	Raleigh,	1887	Commissioner.
Bureau of Labor Statistics,	Colorado,	Denver,	1887	Commissioner.
Bureau of Labor Statistics,	Rhode Island,	Providence,	1887	Commissioner.
Bureau of Labor and Industrial Statistics,	Nebraska,	Lincoln,	1887	Commissioner.

[1] The Connecticut Bureau was discontinued in 1875, and reorganized in 1885.
[2] Made an independent department, June 13, 1888, as the Department of Labor.

The expenses of these bureaus are covered by legislative appropriations, the amount for State bureaus varying from an annual appropriation of $1,000 to $10,000, and the compensation of the chief officer from $1,000 to $3,000 per annum. The cost of the Department of Labor of the United States is now, in round numbers, $150,000 per annum.

While nearly all the nations of civilization have bureaus of statistics of some character, which have existed for many years,—

some of them making original investigations,— the bureau of statistics of labor is distinctly American in its origin and character; for, while recognizing and dealing with the statistics that come from official sources and through official entries,— like the statistics of immigration, revenues, births, deaths, taxes, etc.,— these American bureaus deal chiefly with statistics resulting from original inquiry and investigation, relating to the social, moral, educational, economic, sanitary, and industrial welfare of the people. It is gratifying to know that England and Belgium have followed the example of the United States, the latter country having recently organized a Commission of Labor, adopting substantially the methods of work which have distinguished the American offices. The question of establishing a bureau of statistics of labor has already been agitated in France; and the Dominion of Canada has established a Royal Labor Commission, which is doing excellent work.

The publications of the different bureaus in the United States are becoming quite widely known as valuable contributions to economic science and literature, but the same difficulty arises in the prosecution of their work that arises in census-taking: the lack of harmony in presenting results, without which comparisons on a wide basis are not easily attained. The efforts of the European statisticians to harmonize the results of different censuses, and to arrive at the means of an international comparison, will be watched with great interest by the officers in charge of the American bureaus of statistics of labor.

These officers are doing something in their own way toward accomplishing the same end. They hold an annual convention for the very purpose of comparing methods, discussing means, and at the same time considering propositions for the active and efficient working of their various offices. These discussions grow more and more valuable, as the experience of the chief officers enables them to present the results of experimental investigations; and it is to be hoped that they will be able to simplify and unify methods, to eliminate faulty presentations, and to dignify, as well as popularize, the labor statistics of the country.

The methods now open to them are the same, of course, that are open to all statistical offices devoted in any way, or to any extent, to original investigations. There are three such methods: first, the method of securing information by the use of uniform schedules or blanks, sent to parties from whom facts are expected;

second, through public hearings; third, through the efforts of special agents, using prescribed forms of inquiry for the purpose of securing uniform information and for facilitating tabulation, etc. The first method named has been proven to be of little use in the past, except under the most favorable conditions, although now with a keener interest in statistical accuracy this method is becoming more efficient, some of the bureaus testifying that it works well. The second is that adopted by legislative committees, and, as a rule, simply results in bringing together a mass of incongruous statements not easily classified, and, in many instances, utterly incapable of classification. This is the reason why the investigations made by legislative committees, relative to the labor question, have resulted in voluminous reports of testimony, unaccompanied by crystallized and classified results by the committees conducting the investigation. The best practical and, therefore, most useful method of securing information is the employment of especial agents or experts to make personal calls upon parties from whom information is desired. The experience of nineteen years proves this to be the most trustworthy method open to the bureaus: when it is desired to collect official statements, and from official sources, a special letter or blank is useful, and usually accomplishes the desired end.

The point aimed at always in the collection of labor statistics is the truth; and the results must be fearlessly stated, without regard to the theories of the men who collect the information. The good work of the bureaus in this country in this direction has been marked. The gentlemen in charge of them have recognized the fact that a bureau of labor statistics cannot solve social and industrial problems, nor bring direct returns in a material way to the citizens of the country, but that their work, on the other hand, must be classed among educational efforts, and that by judicious investigations, and the fearless publication of the results thereof, they may and should enable the people to more clearly and more fully comprehend the conditions surrounding them. The difficulties in the way of securing such educational results are very great. Opinions and theories stand in the way of perfect work; yet opinions and theories must be put to one side in bureau work. They belong to the peculiar and legitimate work of the economist, and not to that of the statistician. The work of the bureaus naturally and legitimately belongs to the historical method of study. Scientific statistics are those which tell the actual truth, not those

which simply establish our own theories. A careful examination of the reports of the various bureaus of the United States proves conclusively that the men in charge, as a rule, recognize this fact. The critics of their work are usually men who dislike the results thereof, and have no other course open to them than to criticise methods and men. So far there has been no successful attack upon the work of the various bureaus, and this is because the conclusions stated by the officers in charge have been simply statistical deductions and not opinions, not theories, but the results of actual investigation; and so far, also, there has been no successful refutation of any important statistical deductions of the older bureaus of the country, except maybe in two or three instances, and there the officers themselves have discovered the error, and frankly stated it to the public.

The old idea of securing information to coincide with certain views, or to establish theories, has passed away, and the importance of exact knowledge is now clearly realized.

Labor leaders formerly felt it incumbent upon the labor bureaus to advance and to advocate doctrines, or to present schemes for the amelioration of bad conditions or the adjustment of profits. To-day, these leaders all understand that the workingmen's interests are best served by a study of all the facts relating to production, and the conditions surrounding it. When bureaus of statistics of labor were first organized, the idea prevailed among labor men, and in their organizations, that the province of these bureaus was to discuss principles and methods of reform, and to urge them upon legislators, thereby making official lobbyists of the bureaus.

The complications arising from this view did much to retard the growth or progress of the bureaus, because each body of men who thought alike upon an important matter urged its views, and the bureaus, if they adopted any one view, were sure to antagonize all men holding others. It was simply statistical suicide to undertake to follow theories of action. Since the first half decade of their history, however, the attention of the various offices has been directed, almost without exception, to the collection, classification, and publication of facts surrounding production.

In consequence of meagre appropriations, the majority of the bureaus have been obliged to confine their investigations to the simplest topics; that is, to the collection of statistics relating to wages and earnings, the cost of living, and kindred primitive matters. Now, under the more enlightened appreciation of their work

which prevails, they are beginning to reach out for deeper and more underlying facts, which shall determine the actual conditions necessary for successful production, successful both to capital and to labor. Labor sees that it can be benefited most by a knowledge of exact facts, whether such facts appear to favor it or not. The great labor organizations perceive this fully, for they are now educational in their own work; and, to be educational, they must have information which it is impossible for them to secure. They need the government back of the statistics they wish to use, to make them authentic.

With this brief review of the character of the work of the bureaus, their uses are readily seen. Legislatures are using them to carry on special investigations, to make distinctive inquiries on matters coming up for legislation; and so long as politics do not enter into the administration of such offices, so long as governors will look to the interests of education and not of politics, the *personnel* of the bureaus will be kept outside of political ranks. The newer bureaus of the country suffer most in changes, but the opinion is gaining ground that permanence in the administration of a statistical office is necessary to its success: they are, however, doing most excellent service, and that which legitimately belongs to them,— that is, in ascertaining all facts relating to the industrial, educational, moral, and social conditions of the people. That this valuable work is done so well, with generally such poor financial resources as are given them, is greatly to the credit of the various offices. Some of the bureaus are well equipped; but, as a rule, they do not have half money enough to enable them to do their duty satisfactorily. It is encouraging to know that improvement is being made in this direction.

Among the most important topics which have claimed the attention of the State bureaus, and under which original investigations have been made, there may be mentioned: the employment of child labor in manufactories; the education of such children; the condition of tenement houses or homes of low-grade laborers in cities; the hours of labor; wages and earnings; strikes; cost of living; relation of savings banks to the people; condition of operatives; moral, industrial, and sanitary condition of workingwomen; the truck system of payment of wages; accidents in manufacturing establishments; co-operation; conciliation and arbitration; comparative wages and prices in different countries; pauperism and crime; the unemployed; convict labor; drunkenness and liquor-

selling; crime; divorces; the sanitary condition of working people in their homes and employments; effects of certain forms of employment on female health; the influence of intemperance upon crime; profits and earnings; liability of employers for personal injuries to their employees; industrial education; the working of mines; Sunday labor; health statistics of female college graduates; profit-sharing; food consumption; farm mortgages; and many other topics of more or less importance.

The United States Bureau devoted its first annual report to the question of "Industrial Depressions"; its second to "Convict Labor"; the third to "Strikes and Lockouts" during a period of six years in the whole United States; while the fourth will be devoted to the general economic, moral, and social conditions of workingwomen in great cities. It is also at work, under special Congressional instruction, upon a report covering the divorces and marriages of the whole country for a period of twenty years, giving, for divorces, the causes and all the available facts which may be gathered from libels of divorce. It is also engaged in a wide investigation relating to the railroad labor of the country.

The United States Bureau was organized in January, 1885, in accordance with an act of Congress passed in June, 1884. In June, 1888, an act was passed erecting the Bureau into an independent department, under the name and title of the Department of Labor. This Department will carry on the work of the Bureau as if no change had taken place, but the Department is charged with various specific duties. Among the most important of these specific duties are investigations on propositions which have been discussed from the platform of this association, such propositions having been adopted by Congress and made part of the obligatory duties of the Department of Labor.

In 1884 I had the pleasure of presenting to the association the necessity for a scientific basis of tariff legislation, and in the treatment of the subject laid down certain propositions which, to my mind, were necessary to the securing of such a basis, the chief features of which related to a collection of facts on a broad scale in America and Europe, which should show the cost, including all elements, of producing articles dutiable in the United States, together with such facts as would show the efficiency of labor in various localities. In the great discussion on the tariff question in the recent session of Congress, these factors were missing. The whole debate — almost every one of the one hundred and fifty

speeches delivered in the House of Representatives — showed the necessity of a line of facts from which accurate conclusions could be drawn relative to the cost of production, the efficiency of labor, and the distribution of the total product under various commercial systems. When it became evident that a bill creating a Department of Labor would be passed, the friends of statistical science were alive to the importance of securing provision for the collection of such statistics as I have indicated. So the law creating the Department of Labor, besides the general duties imposed upon it, which are that it shall acquire and diffuse among the people of the United States useful information on the subjects connected with labor in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, intellectual, and moral prosperity, made it specifically the duty of the Commissioner of Labor, at as early a date as possible, and whenever industrial changes shall make it essential, to ascertain the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including with the other facts the wages paid per day, week, month, or year, or by the piece, in the industries involved; the hours employed per day, and the comparative cost of living, and the kind of living, of men producing such articles. Here was the fruit of the seed sown by this association, and in this respect the establishment of the Department of Labor was an immense stride in the interest of statistical science. But the bill did not stop here. It took up the question of the general progress of our industries. In our discussion of the problems of the census last year, it was shown that one of the chief wants of the times was the frequent collection of statistics showing the products of industries. The act creating the Department of Labor specially charges it upon the Commissioner to establish a system of reports by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country. We need not discuss the value of such a provision. To remove apprehension from the public mind is one of the leading uses of statistical science; and the frequent collection of facts as to products, by which the country may know whether its leading industries are thriving or droop-

ing, is one of the most essential moral elements of statistical work. Through such a system of report as that indicated by the law creating the Department of Labor, apprehension may be removed, and that feature of industrial depressions which grows from fear deprived of its force. The act further specially charges the Commissioner to investigate the causes of, and facts relating to, all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. It has been evident during the past few years, when great interstate strikes have occurred, that, could the facts surrounding such strikes be made known at once through authentic and official sources, they would be robbed of much of their terror; or, if the public could know with reasonable certainty the exact causes of the pending controversy, and thereby be enabled to fix the responsibility upon one or the other party, the strike would soon come to an end through the very power of public opinion. Heretofore these causes and surrounding conditions have been made the subject of newspaper comment or investigation, each side making prominent its own facts; but no systematic investigation and report as to such causes and surrounding conditions have yet been made within a reasonable time of the occurrence of the strike. The value, therefore, which must come from the provision cited is great indeed. All these matters are familiar to the members of this association, and they are fairly entitled to congratulate themselves that they have in another instance proven the power of their influence in bringing to public attention some of the most vital questions which make for the welfare of humanity. The association has impressed itself upon the public mind regarding many of the great questions which have been crystallized into legislation. Quietly, yet forcibly, has the association worked in the past to create public sentiment in favor of this or that reform, of the establishment of this or that institution, but all looking to the general progress of the human race, caring but little for the glory which may come from such institutions, contented simply by making the active workers in legislative matters feel the necessity of legislation. So it is true that this great chain of bureaus, coming in close contact with the people of twenty-one States, and through the central organization at Washington with the people of the whole country, constitutes a powerful ally of this association,— so powerful now and so extensive that it might be more appropriate

to say that the association constitutes an interested and efficient ally of the chain of bureaus.

The enumeration of topics, with the scope shown by the laws creating the different bureaus of the United States, covers a wide range of investigations, affecting all the conditions of the people. It is my belief that this range will grow wider and wider, and that the men who are in charge of these bureaus, as a body, are thoroughly alive to the necessity of keeping that range within the province of practical work. They are not theorists, but, as a rule, practical men, who are doing excellent service in the cause of humanity. It is the duty, as it is the privilege, of this association to aid them, not only by bringing their work prominently before the people of the country, but by counsel and suggestion. We discuss matters here when the ideas underlying them are in embryo. We throw out suggestions of lines of work, and we discuss propositions which it is the privilege of the bureaus to crystallize into well-directed investigations. With all this, statistical science is making rapid progress in this country.

It is apparent from this brief outline that the bureaus are engaged in a grand mission. Their integrity in this mission is unassailable, and the results they are bringing out constitute a most valuable series of contributions to social science. The popular education of the masses in the elementary facts of political and economic sciences is the greatest educational end of the day. The bureaus of statistics of labor are in the line of facilitating this grand work by their faithful investigations into all the conditions where facts should be known, and into all causes of bad conditions of whatever nature, and by their fearless promulgation of the results of such investigations. To attempt to turn such a sphere of labor to base purposes is a crime not easily punishable by law, but which can be punished by an unwritten law which reaches the violator through a decree more to be dreaded than any merely judicial order or sentence,—the sentence public opinion passes upon the man who prostitutes the cause of humanity.

II. PAPERS AND DEBATES OF THE DEPARTMENT OF HEALTH.

SARATOGA, SEPT. 5, 1888.

The Department of Health was called to order at 9.30 A.M. by H. HOLBROOK CURTIS, M.D., the CHAIRMAN, who proceeded to make

1. AN ADDRESS ON "THE NECESSITY OF ADDITIONAL REQUIREMENTS FOR OBTAINING A MEDICAL DEGREE."

While much has been accomplished during the past three years in the general advancement of medicine as a practical science, there is yet such scope for improvement in the manner in which the science is dispensed, and so urgent a need of legislative interference to prevent the medical schools from flooding the country with an uneducated rabble of incompetent pretenders, that it seems proper for this Department of the American Social Science Association to consider carefully the resolution of 1887, offered by President Scovel, of the Wooster University in Ohio, and to take the voice of the Association on another resolution which will be offered.

The following resolution was offered Sept. 7, 1887, by President SCOVEL, and adopted by this Association: —

Resolved, That, in view of the peculiar relations which must always exist between the physician and the community, the Department of Health of the American Social Science Association be requested to inquire into the antecedent general and collegiate education of the students in the medical schools of our country, and to consider the expediency of agitation for additional requirements in this regard, by these institutions themselves, and for public legislation to establish at least a reasonable minimum.

In no country in our world has there been such vast wealth accumulated from the sale of nostrums as in the United States, nor are we able to find a people elsewhere who are as susceptible to the blandishments of the quack or the seductive influences of the "mind-cure lady" and the Christian scientist. Is this state of

affairs due to national peculiarities and traits, to the lack of education among our people, or directly to the physicians themselves, and not to the community? Another question may be asked, What do the incorporated medical schools offer as a guarantee of the intrinsic value of their diplomas? Upon investigation, we find that, in sixty per cent. of these institutions of the United States, applicants are taken as students, with no questions asked as to their ability to comprehend the teaching they are to receive. Consequently, a large proportion of these students are graduated after two school sessions with but a superficial smattering of the seven subjects in which they are examined; and, as the examinations are often conducted orally, it is possible for men to receive a license to practise with but the crudest apology for an education in the elementary English branches. So long as our medical colleges are run as strictly business ventures, one bidding against another to obtain the greatest number of students, or holding out a shortened session or a lowered fee as an additional allurement, so long will our system of medical education be held up to ridicule abroad, and the laxity of our methods be a lasting reproach and mortification to every conscientious practitioner at home.

While I am not an advocate of trusts in general, no greater good could accrue to the advancement of medical science than that the medical schools combine, and make the requirements of admission the same for all. This would quickly close many institutions whose almost criminal methods make us blush for our legislation, and drag the noble name of physician in the mire. To show that the desire obtains in some directions of improving the present standard, let me quote from an able paper by Dr. F. R. Sturgis, of New York, read before our State Medical Society in February, 1882: —

Another hindrance to a good medical education arises out of the dependence of the medical schools upon the students' fees. With but one exception, perhaps, no medical school in this country can say to a student: We do not care about your fees. Your acquirements are not up to our standard. We will not accept you as a student. Most medical schools saying that would at once lose their students; and, in this connection, the friends of educational reform in medicine are invited to ponder the action of the Bellevue Hospital Medical College. In 1879, this school, amid loud trumpeting and posing before the medical public as the friend of educational reform in medicine, announced that, after the regular term of 1879–80, the preliminary term should be abolished, and the regular winter course be prolonged to six months instead

of three, that a preliminary examination should be held prior to the matriculation, that attendance upon three winter terms should be obligatory, that the students should be obliged to pass annual examinations independent of the final one for the degree of M.D., and that the course of study should be a graded one. Amen, said the friends of reform. This is an excellent beginning. The reputation and position of the men connected with the Faculty of the Bellevue Hospital Medical College is a guarantee, if not of success, at least of a fair and thorough trial of this new and desirable system. We wish them Godspeed. What has the result been? Six months after the trial of the new method, the Faculty issued another circular, announcing that, "after the present session of 1880–81, attendance upon a third session will be optional, and not obligatory"; that the school will return to the two years' rule, and abandon the attempt to give an extended curriculum, because "to persist in the requirement of attendance during these courses will be to incur a risk, as regards the interest of the college, which they do not feel justified in assuming," and, furthermore, because "the profession is not prepared to sustain the movement." Was ever conclusion more lame and impotent, was ever retrograde movement more hasty and indecent? After all their pretensions in behalf of reform in medical education, these worthy and excellent teachers are frightened at the result. They are losing too much money. They cannot stand the pressure, and they execute their somersault into their old place, amid the jeers of both friend and foe. Well may the friends of advance in medical education exclaim: We want no assistance against our foes. We can manage them, but God save us from our friends.

Another defect is the careless and slipshod way in which charters can be obtained for educational and other purposes. All that is requisite in this State is that not less than "five persons of full age, citizens of the United States, a majority of whom shall be citizens of and residents within this State, . . . may make, sign, and acknowledge before any person authorized to take the acknowledgment of deeds in this State, and file in the office of the Secretary of the State and also in the office of the clerk of the courts, in which the business of such society is to be conducted, certificates in writing, in which shall be stated the name or title by which such society shall be known in law, the particular business and objects of such society, the number of trustees, directors, or managers of such society for the first year of its existence," etc. There is nothing making the educational candidate for a charter show just cause for its existence, nor anything binding it to give good and proper instruction. Hence, as soon as its charter is obtained, it may do as it pleases,— teach or not, as it likes, or, if it prefers, it may sell its diplomas.

So much for Bellevue. The Medical School of Yale College shortly afterward attempted the same thing, to find that the stu-

dents commenced to disappear like dew before the rising sun. However, the Faculty did not have the courage of the Bellevue professors to resume the ways of darkness and save unto themselves the men and their shekels; but they kept on setting a noble example, while the ratio of students to professors is becoming painfully equalized. Yale College would never regret having that good old school, where have shone the noblest and most brilliant types of New England practitioners, die in martyrdom for the cause of scientific advancement.

It is evident that, unless the speculative instinct can be entirely eradicated from the minds of our instructors, no instruction can be wholesome and good. It is evident, without argument, that a man cannot be an accomplished instructor who has to devote eight hours a day to a general practice and his leisure, so to speak, to his professorial duties. To-day, with the advances in microscopy, the practitioner must be also a good pathologist, and to become a good pathologist requires an education, not granted but in the medical schools one can count on the fingers of one hand.

The medical school of the future must demand, on admission, a thorough knowledge of physics and elementary, inorganic, and physiological chemistry; for these branches require prolonged laboratory work, which is incompatible with attendance upon lectures. Either do this or add a third year to the time of study, and include the above branches with botany, comparative anatomy, and biology, as a first year's work. An ideal preparation for medical study, in my opinion, is the medical course of the Sheffield Scientific School of New Haven. We all know what we need. The question, then, is where and how to get it.

To make a school, we must first make our professors. They cannot be made from our busy practitioners. A Pasteur or a Koch does not evolve from a man who must needs consider his house-rent in the midst of his researches, or be called to a baby's belly-ache from the study of a bacillus. To elevate the standard, we must let the sincerity of our motives and the excellence of our scholarship be the desideratum, which condition can only be attained by properly endowing our institutions, thus placing the instructors without the pale of competition and beyond the necessity of considering their individual relationships with the community.

President Eliot, of Harvard University, said in his report for 1880–81: —

The next thing which needs to be done for the medical schools is to procure scholarship funds and endowments for its professorships, or a large permanent fund, the income of which shall be applicable to salaries. So long as medical schools are conducted as private ventures for the benefit of a few physicians and surgeons who have united to form a corporation or a faculty, the community ought not to endow them; for it is contrary to the best interests of the public that medical education should be conducted in that way. The experience of the past hundred years in this country proves that such medical schools will not be endowed. While several millions of dollars are yearly devoted to education in arts and in theology by intelligent and public-spirited men and women, hardly anything is given for education in medicine, because almost all American medical schools are organized and carried on as commercial adventures. In 1871, the Harvard Medical School ceased to be in any sense a private venture, and became a constituent department of the University, devoted, like the other departments, to the advancement of science and learning, and to the amelioration of the conditions of human life. Since that year, it has received by gift and bequest $270,000; but this sum, though considerable, is not one-third of the endowment which it urgently needs. The objects of endowment in medical education are precisely the same as in other departments of education; namely, to provide permanent means of securing the most competent persons for its professorial chairs, of helping poor students of rare capacity, and of advancing knowledge by new researches. It is the primary object of medical science and art to defend and improve the life that now is,— the life of the individual, of the family, and of society; but, since it is impossible to separate physical from mental and moral well being, the domain of medical science is really coextensive with human nature. Whatever notions influence benevolent persons to endow institutions which teach the humanities or theology should also avail for the endowment of medical education. The seed and the fruit, the planting and the harvesting, may be different in kind; but these various cultures all have in view a common end,— namely, the improvement of man's high estate.

It is hardly worth while to attempt by illustration to show what schools are very good and which are worse than bad. That there is a large number of men practising medicine to-day with whom contact is demeaning to the educated practitioner, and whose very existence is a danger and menace to the community, must be conceded. These ignorant fellows have the same legal qualifications as the most educated and skilful physicians, and in many cases also the confidence of the community in which they exist. A broader and better education would command a much greater respect from the masses. How often you hear a doctor say the

mind-cure is a humbug and Christian scientists are worse than charlatans, dismissing the subject with but this explanation! Hence the public says: "Doctors are fools. Mary Jane of our town walked for the first time in years after Mrs. Smith had prayed with her, and Deacon Jones's dyspepsia only vanished after the mind-cure invaded the village." Every physician hears of these marvels daily, but to the educated man they admit of an explanation as easy as the laws of light or sound.

Have any of you ever walked through the Salpétrière Hospital in Paris, beside that great chief of neurologists, Charcot? Have you seen him, by the exercise of his tremendous will power, convert the frail hysteric female into a giantess of strength? Have you seen him hypnotize his patients, and render them oblivious to pain? Here we may truly wonder at the power of man, and compare his modern miracles to those of the great Master. Yet Charcot will explain the power, which seems given him from above, to be but the exercise of a superior physical and mental force over a diseased nervous condition. Well might the reverend gentleman in Chicago say that he could cure many diseases by the faith-cure, but he never could remove the cinder from his son's eye by that agency,— for which heresy he was promptly expelled from the Faith Convention. I will not trespass further upon the half-hour, for there are other speakers whom I know you wish to hear during the time remaining for the debate on the resolution as read.

DEBATE ON DR. CURTIS'S ADDRESS.

Rev. Dr. J. Anderson, Waterbury, Conn.— While I was listening to the suggestions of Dr. Curtis, I was reminded of a remark made by Dr. Leonard Bacon, who was closely connected with Yale College, in reference to the mutual relation and duties of the different professions. The question of the relation of the ministry to the medical profession came up in some way. In old times, the physician used to bring in no charge against the clergy for professional attendance; but a change is taking place in that respect. Upon my making this remark, Dr. Bacon came to the defence of the medical profession, and said that so long as the clergy were as willing as other people to run after any quack they must expect the medical profession to treat them accordingly, and make no distinction between them, as members of a profession, and other persons. I have been surprised at the apparent ignorance of even intelligent men — and I suppose the clergy may be considered intelligent men as a rule — in regard to the value of professional knowledge in other professions. I suppose it is paralleled by the ignorance of intelligent men in regard to the value of authorities

in any department with which they are not familiar. During a recent discussion in which I took part, in the newspaper press, with Mr. Neal Dow, of Maine-law fame, I ventured the opinion that all scholars to-day must reject the "two-wine theory" of the Scriptures; namely, that whenever the Scriptures praise wine they refer to unfermented grape-juice, and that whenever they condemn wine they refer to what we call wine. That theory was prevalent among temperance people at one time, but I said that no scholar of any repute to-day would advocate that theory. That was putting a meaning upon the word "scholar" which Mr. Neal Dow would not perhaps accept. I recognized certain scholars as authorities and other so-called scholars as non-authorities, and so the question of the value of authorities came up as a matter of course. It is so in all departments of life. The great mass of the people, and a good many intelligent people, fail to recognize the difference between a real authority and one that has no authority, in the department of medicine as well as elsewhere. In the city of Waterbury, I have observed that every time a wandering physician comes round, and puts out his sign at the chief hotel, the people flock to him to receive medical treatment. They do not inquire whether he is an educated physician or not. They do not know the difference. That is why there may be intelligent physicians in any community, and yet people be victims to these wandering quacks. Of the twenty, thirty, or forty physicians in our city, there are several who hold no medical degree and who have no thorough medical education; yet among their patients are some quite intelligent people. It seems to require special training, special knowledge of scientific matters, to appreciate these distinctions. The great difficulty perhaps lies in this direction. As long as people do not *know* the difference, they will make no difference in selecting their physicians. Social considerations may come in, financial considerations will come in; but considerations of scholarship and learning in the professions will come in to a very slight extent. This difficulty is hard to reach. We cannot make a proclamation which will reach the masses of the people, and we cannot have any legislation to reach the difficulty.

And yet there is a place for legislation. It seems to me that our law-givers can do something in elevating the standard; and if there are medical colleges, so called, that are graduating men and throwing them out on the community when they are not fit to be physicians,— men who gravitate into the position of quacks as soon as they get to work,— it seems to me that something ought to be done to prevent it. If this Association can do anything in that direction, it ought to be done. One of the great changes that is taking place at the present day is a tendency to abolish the old ideas concerning the three learned professions,— medicine, law, theology. For centuries these professions stood out pre-eminently,— there were no others. But to-day there are many professions or semi-professions, and the lines are not drawn so distinctly as they were; and there are tendencies at work in all these to

lower them, to *deprofessionalize* the men who belong to them. I remember some years ago a change took place in the ecclesiastical relations of the town to which I belong. A conference of churches was organized. We had had an association of ministers, — I think the oldest one organized in the United States,— organized in 1708. An effort was made to abolish that and substitute for it this conference of churches, in which the lay element should be prominent. I took the ground at that time, in opposition to President Woolsey, that we ought to cherish the Association and make the most of it, because of its bearing upon the clergy as a profession; that we ought to emphasize our professionalism; that in this country, where there was so much drawing away from the purely professional characteristics of the ministry, we ought to cherish our professionalism, not in the sense of wearing a straight coat and white cravat, but in giving opportunity for training and for learning. What is wanted in the ministry is wanted in the medical and legal professions; and it seems to me that we should co-operate with one another in that matter. I, for one, wish to emphasize the value of the medical profession as such, and to stand up for the regular school.

Prof. WAYLAND.— The hopelessness of it is the feeling that weighs upon me. Every word you have said, Mr. Chairman, is perfectly true, flagrantly true; and yet what are you going to do about it? People will go on selling themselves to quacks to the end of time; and, as one species of quackery decomposes, from the residuum will rise another species, with more devils than the first. Now it seems to me impossible to get the public sufficiently interested in this to make a public opinion strong enough to control the evil. In the first place, you cannot get medical men to take hold of it with any zeal or earnestness. If I may be pardoned a personal allusion, a few years ago I made a great effort to secure the passage of a better law, intended to cover precisely the evil to which Dr. Anderson has alluded; that is, to prevent medical tramps writing M.D. after their name. I secured the assent of the leading physicians of the regular school, of the homœopathic school, and of the eclectic school or, as one of my acquaintances, with quaint innocence, calls it, the "epileptic" school. It was not a narrow bill, it was simply a provision that no men, who had not a degree from some of those three schools, should be allowed to practise. It had the unanimous assent of the judiciary committee of the Connecticut legislature, but a quack from our city succeeded in laughing it out of the legislature; and it did not get a corporal's guard of votes, though there was not a man who, if you had got him in a corner and talked with him, would not have said that it was a perfectly just and fair bill. The community did not care anything about it. So much for legislation. In some States there has been more stringent legislation; but, after a few cases have been disposed of, the jury will usually acquit, as there is

a popular supposition that the law is the result of a desire to persecute on the part of the medical profession.

As to the improvement of medical schools. The great trouble is that a competent medical man can earn by his profession in a large city an income far beyond what he would receive for teaching. Such a physician earns from $25,000 to $30,000 a year. How can you ask him to give the cream of his time to teaching men hardly up to average intelligence,— certainly not above it,— many of whom come into the profession not for the humanity they may exercise, but for the ducats they may accumulate? To endow a professor's chair and get a teacher, before he is too old to have any vital love or enthusiasm for the work, would require an endowment that would yield $12,000 or $15,000 a year. What is the chance of doing that? The same is true, to a considerable extent, of a law school; but the legal profession is not — to use a term that expresses exactly what I mean — so rasping. It does not involve so much wear and tear of the nerves. But the successful law schools could be counted on the fingers of one hand. I am sorry to indulge in this Jeremiad.

Dr. CURTIS.— I was brought up very near Waterbury, and I know to what Dr. Anderson refers. But the trouble is that these travelling doctors *have* degrees. They cannot go from State to State because there have been rather stringent laws passed in certain States,— in nineteen out of the thirty-eight, I believe,— which make it impossible for a man to practise without a degree; but it is easy to get a degree in many States. A legitimate physician of the regular school, if he belongs to any institution like a county association, is not allowed to advertise in any way, or to have his name in the paper as being interviewed with regard to public health. This is the unwritten law. There is a man in New York who made an enormous reputation for curing rheumatism and gout. The members of the Stock Exchange flocked to him. He had his parlors in a tenement house district, where he showed a petition signed by the people in that neighborhood, begging him not to leave them. The street where this house stood would be filled with carriages. The secret of his success was that in every one of his prescriptions sulphate of morphia was combined, which made every one happy for the time being. In the end, however, the expected result occurred: the renown is now passing away, and in two more years he will not be heard from. Every physician in New York knew his methods, because his prescriptions filled the books of the apothecaries. I should not wonder if he made $75,000 a year; but there was no way of stopping him,— nothing that the profession could do to prevent it. Still, I do not think the "hopelessness" is as bad as Prof. Wayland puts it. Public opinion must change, and able physicians will be recognized. He says that educated men are not going to give up $25,000 or $30,000 a year to teach in medical schools. I think it is true, however, that the enthusiast, the man who wishes to

devote his life to scholarship, is not the man who craves $25,000 a year. What he craves is leave to follow his scientific pursuits; and he is satisfied to live comfortably, if he may extend his researches in the direction which he may choose. In France and Germany, the ablest men, the renowned specialists, who are known as good teachers, are not always wealthy physicians. Their entire time is taken up in hospitals and clinics. But they get the largest fees when they are called in consultation. They will receive sometimes as much as a thousand dollars for going a short distance. There is some recompense in this. Many a man is willing to devote his life to microscopy for five or six thousand dollars a year. The best fiddler is not always the best teacher of the fiddle. I think it is the same in medicine.

Mr. F. J. KINGSBURY.—I have been thinking that perhaps something in the way of reminiscence, if not instructive, would be encouraging. The memory of individuals here runs back almost to the time when the only method of medical education in this country was for the pupil to go and reside in the family of some physician. Almost every country physician had one or two such pupils. They took care of his horse, built the fires in the morning, milked the cow, cut and brought in the wood, and assisted in taking care of the children. After they got a little experience, they were allowed to use the lancet on the veins of cabbage leaves, and to unset, for the sake of setting, the legs of cats and chickens. That is truly the way in which our physicians of sixty or seventy years ago were educated, and it is greatly to their credit that this made some of the best physicians the world has ever known. There is no man whose name, I think, stands higher on the medical roll than that of Nathan Smith, one of the first professors in the Medical School of Yale; and that is the way he got his training. There has never been a lecturer more appreciated in the United States than Jonathan Knight, who was his successor; and that is the way, to a certain extent, in which he was educated. When we compare that method with the methods of to-day, there is reason to feel greatly encouraged at the progress of the medical profession. There are great difficulties about this as a practical question. The whole matter of endowments, of public assistance, is an entirely different problem here from what it is in Europe. There, the government has been looked to to do that sort of work, and has done it to a great extent. Here, we have no government which has the power, or which would be permitted to fill that position. We have got to look to some different source, to corporations or men of private fortunes.

Then there are other difficulties which the medical profession has to contend against. One is the natural tendency of the human mind to superstition. I presume people could still be found who have an abiding faith that the seventh son of a seventh son is a born doctor, that he has some special power. There is perhaps no branch of science so filled with superstition as the science or

art of healing. There are various reasons for this. It has been so throughout all history, and we find it in sacred history quite as much as elsewhere. It is a very slow process to replace superstition by science, but that has to be done before substantial progress can be made in medicine. It is needful to train the whole community in methods of thought, belief, and action; and we must not expect to get on too rapidly. There has never been a time when there was such immense progress in the knowledge of the human frame and the nature of disease and remedies therefor as within the last five years, to say nothing of the last ten. The question of economics, which has already been alluded to, has been practically disposed of by Dr. Curtis. It is the young men, fresh from the best schools, who are really the best prepared as instructors. They are too modest to expect large pay. They are looking to the future, and are willing to do their work magnificently for a small sum. What we want to do is to thank God and take courage.

Mr. F. B. SANBORN.— As the city of Waterbury has been represented by several speakers, I almost think Boston should be heard from,— a small village in the eastern section of the country. Although, by some accident, I have never been appointed a member of the Corporation of Harvard College, I may allude to what has been going on there. You referred, Mr. Chairman, to the very sensible remarks of President Eliot, with regard to the endowment of medical schools. Something has been done in this way for the Harvard Medical School. As Mr. Kingsbury observed, the study of medicine has entirely changed, as well in character as in form. It now involves a knowledge of sciences which scarcely existed fifty years ago. Every ten years develops some new special science which is found to have peculiar value for the study and practice of medicine. That feature of education which at this time, in this country, most occupies the public mind, and which draws most fully upon the resources of private wealth, is the study of the various branches of science. You cannot appeal to the American public with a greater certainty of success than in reminding them that the progress of some science needs to be encouraged. It seems to me that, if we would leave a little the narrower curriculum of medical schools, and would call upon those gentlemen (one of whom I see before me) who so liberally endow institutions of learning, to provide means for the study of those branches of science which bear on the art of medicine, we should reach a result sooner and better than by directing attention exclusively to medical schools. The researches of Pasteur cannot have escaped the notice of any intelligent person. A scientific revolution has been produced by his experiments and his investigations, and by those of others following that line of inquiry. Although such investigations have been started in this country, and there are several universities where they are professedly pursuing them, I am not aware that there are in any of the univer-

sities medical schools where thorough research in the line which Pasteur has originated (being in part supported by the government and in part by himself) can be prosecuted with any hope of successful result by means of proper endowments. I think that in Johns Hopkins University a foundation has been laid. But the revenues there have been so diminished by unfortunate investments that I suppose the pursuit of research will be crippled. If there are any persons in this audience or elsewhere who propose to endow institutions of learning for the promotion of science, it seems to me they can do no better than to endow chairs for such special research. When that has been done, young men and older men will be drawn to the centres of scientific inquiry, and this question of attaining a large income by instructing students in medicine will become of trifling importance. The American people are understood to be specially devoted to the acquisition of an annual income, but I believe there is hardly any other nation where there are so many persons who would throw away considerations of gain if they could promote the interests of science or religion or whatever subject most occupies their attention and makes an appeal to their conscience. There is no country where more people are willing to set aside for a few years the accumulating of property for the sake of devoting themselves to the work for which they are naturally fitted. It seems to me that in this direction rather than by legislative proscriptions or restrictions we can best help medical science.

But I am not so sceptical about what may be done through legislation. Many attempts fail because they are undertaken with great flourish of trumpets, and certain persons are put in the forefront who are sure to incur the hostility of the people whom they are seeking to benefit. In Massachusetts, a bill was lately introduced similar to that which was rejected by Connecticut, and with a like result. But nearly ten years ago a very sweeping change in analogous matters was made there in regard to the medical certificate of insanity by physicians. We passed a law providing that all insane persons who should be committed for treatment should be so committed on the certificate of two physicians; but these physicians must have had a degree from some regularly established medical school or college, and have practised in the State for three years. There was not at the time the slightest opposition to that regulation, nor has there been a single demand for the modification of that restriction. There has been a demand for further restricting the number of physicians who may certify to insanity, and this will probably be granted. In all legislation, those measures are most easily carried which appeal to the plain common sense of the people, and which are not put forward as likely to benefit or injure any particular class of persons, but simply appeal to the people as something which must inure to their benefit. It cannot be for the benefit of any person in Massachusetts that his insanity should be passed on by a physician who has no qualifications. So in medicine. When you can make the people understand that they are the sufferers, and they are to

profit by any change that may take place, that such change is not to be for the benefit of special classes and not to swell professional gain or pride, you will get such legislation as you desire. Attempts at this legislation have often been made with a certain professional spirit and claim of superiority which from the first almost secured their defeat. If such efforts should be made in the plain and simple interest of the public,—and the legislature should aim at that alone,—and if the institutions of learning should be so endowed that special inquiries may be carried on without depending upon the fees of the students in those branches of science which concern medicine, I believe we should reach the desired result, not immediately, but after "a time, times and a half" as the Scriptures say.

Mr. W. A. PURRINGTON.—There was once upon a time a veterinary surgeon with a pupil whom he used to instruct after the fashion of the old doctors to whom Mr. Kingsbury has referred. This surgeon sent his student one day to administer a large bolus to a sick horse, telling him to open the horse's mouth and make him swallow it. When the student came back, the doctor said, "What success?" "No success at all, sir," was the reply: "the horse bit my elbow." The doctor then gave him a powder, saying, "Put this powder in a tube and blow it down the horse's throat." Again the student returned. "What success?" "No success at all, sir: the horse blew first." Unfortunately, Mr. Sanborn has blown first. It is one of the merits of your rather unscientific method of having the debate precede the paper; however, that has given me one or two ideas, which is a piece of good fortune, as I had very few before. It has also emphasized what is the effect when schools are afflicted with what I might call *diplomā-nia*. So long as a diploma constituted a license to practise law in this State, it seemed as if some sort of contractual obligation might be almost inferred between the school and the scholar who had paid out $150 for his education. The matriculant felt that he was entitled to that parchment: it seemed very cruel to him that a man who had paid out that amount of money and spent anywhere from three to six months of his valuable life in studying a profession should not be allowed to follow that profession. The Bar took the matter in hand, and it was enacted by statute and regulation of court that no man should go to the bar in New York who had not first passed certain preliminary examinations in matters which he ought to know. After that examination there was to be a General Term examination, and the diplomas of the Law School were no longer *ipso facto* licenses to practise. It was thought by the School that this step would be a terrible blow to them, and that the students' fees would fall off. But the attendance is larger now than ever before, the standard higher, and the advertisement of the course of the college for this year states that for the first time Columbia Law School will require a three years' course for the degree of B.L. So much has been done by taking from the school the licensing power. I will now read my paper.

2. HOW FAR CAN LEGISLATION AID IN MAINTAINING A PROPER STANDARD OF MEDICAL EDUCATION?

BY W. A. PURRINGTON, OF NEW YORK CITY.

READ BEFORE THE AMERICAN SOCIAL SCIENCE ASSOCIATION, SEPT. 5, 1888.

Mr. President, Ladies and Gentlemen: — I desire, first of all, to express my indebtedness to those gentlemen in the different States and Territories of this country and in the British Provinces to whose courteous replies to a circular letter of inquiry upon the general topic of Medical Legislation, sent to them in the early part of the summer, it is due that the conclusions of this paper may be said with fairness, I think, to represent not only the opinion of others besides myself, but prevailing opinions among those whose chief interest in medical legislation is that it shall confine the practice of medicine to educated persons, regardless of any particular views they may entertain as to questions of therapeutics.

It is not intended to present statistics here. My correspondence has not yielded any from which I should care to deduce conclusions, nor are they needed to substantiate what I hope may prove fair reasoning and sound deduction.

This paper must be, therefore, a statement of what I conceive to be general principles and fair inferences from an experience of some years, as counsel of the medical societies of the State and of the county of New York, in drafting and securing the enactment of the present by no means perfect medical statute of that State, and enforcing in the county of New York obedience to its provisions.

It may be said, however, as the general result of the inquiries, which were made in every State and Territory of this country, and also in the British Provinces, that almost every reply to the circulars expressed approval of some system of regulating by statute the practice of medicine; and the opinion was also strongly expressed that such legislation as has been already, crude and imperfect though it is, has perceptibly improved the standard of medical education.

At the threshold of this inquiry, it is worth while to lay down certain postulates.

First of all, let it be said distinctly that such legislation as we are about to consider is regarded by the courts both as constitutional and as highly desirable. It ought to be scarcely necessary to have to say this. But the opponents of statutory regulation of medical practice so constantly declare it to be an infringement of the liberties of the citizen, and therefore unconstitutional, that one may well preface any remarks of this nature with the assurance that, so far as any principle can be considered as settled and approved by judicial authority, the principle involved in this sort of legislation stands settled and approved by the Supreme Court of the United States, and that of every lesser commonwealth before which it has been brought.

In the second place, it is necessary to state the only principle upon which such legislation can be justified. That principle is *salus populi*,— the principle of security, of self-protection against fraud and ignorance. It is a vulgar and frequent assertion of the foolish persons who really believe in the *quasi*-supernatural powers of the ignorant and depraved and of the knaves who, professing to have such powers, prey upon the credulity of their suffering fellow-creatures that the only purpose of medical legislation is to increase the emoluments of a favored class by obstructing entrance into it with such barriers as will exclude many honest but ignorant voters from the right to practise physic, and so, by limiting the number of its practitioners to the educated, lessen competition. It is not necessary to demonstrate to you the falsity of this slander, or to argue in favor of the propriety and justice in principle of throwing safeguards about a profession intrusted more than any other with the health, honor, and life of the citizen. Surely the State has a right to protect the lives, health, and bodily welfare of its members against the assault of the charlatan quite as much as against the assault of a more courageous homicide. Nor is it altogether an answer to this argument to say that, inasmuch as a man voluntarily selects the charlatan as his medical attendant, while he exercises no choice as to the homicide, there is no analogy between the two cases. It is quite impossible for me to see in what regard, except cowardice, a man who, with absolutely no knowledge of the human economy or the effect upon it of drugs, attempts to practise medicine for fee or reward differs, when his practice proves fatal, from the less crafty murderer who

for reward, if not for fee, knocks his victim on the head. There is this difference also between the two offences,— the quack's is chronic, the homicide's sporadic. But, as between the courageous homicide and the venders of quack remedies composed with morphia and like poisons, the former seems admirable. It is said, indeed, that the patient having his choice of medical advisers will exercise it wisely; and, if he does not, the civil remedy for malpractice, accruing to himself or his representatives, is a sufficient remedy for one foolish enough to seek such advice. But civil remedies are expensive luxuries of doubtful result, and besides that the interest of the community does not centre in punishing an offence committed on one of its members, but in preventing its repetition against others. I am not aware that it is recognized as a defence to a charge of homicide occurring, say, in the prize-ring, that the deceased invited his antagonist to fight with him in an amiable contention for a purse, which should be the fee or reward of the victor; and, indeed, it seems to me that the prize-fighter, unlucky enough to kill his opponent, deserves more sympathy than the charlatan; for his antagonist had a chance to win the fee and perhaps do the killing himself, whereas between quack and patient the former stands to win the fee, while the latter will never compel his adviser to swallow his own prescription.

In considering what legislation can do in bettering any social condition, we must never forget that the best law which can be framed is but an exceedingly clumsy instrument for the enforcement of even the elementary moral obligations that are clear to all of us. Almost everybody of cultivation can see a reason for prohibiting — not for the sake of those directly interested, but as harmful to the community — prize-fights, duels, bull-fights, bridge-jumpings, and all other performances, including suicide, whereby foolish men not only risk their own lives, which might be no great loss to us, but set a pernicious and demoralizing example. The offence against society by such precedents is so palpable and gross that a very crude mind will assent to the justice of their punishment when committed and the forbidding of their occurrence. But the transgression of the charlatan is somewhat more subtle and a thousand-fold more dangerous; yet, because his services are sought by their victim in the belief that they are a prevention, not a source of danger, many consider his acts as matter of private interest, and overlook the public wrong. From the stand-point of morals alone, the quack, from whose ignorance, and worse than

ignorance, a patient's death results, stands in the same relation to one who has committed murder while engaged in robbery that the subtle wrecker of a great corporation does to the unlucky scamp who has stolen the wherewithal to get his daily bread or rum, as the case might be. The difficulty of tracing the effect to its cause is the safety of the former offender, and it is not unfair to say that the chief wrong-doing punishable by law is clumsiness in execution. To succeed in crime, one must be an artist.

It is when we come to seek a legal remedy against the immoralities of quackery that the difficulty of reaching them without making laws themselves objectionable becomes apparent. Bentham has very well pointed out that moral and statutory law have identical purposes and are governed by the same principles, differing only in this: that, although both are circumferences in the same plane, they are concentric and of unequal radii. Each circumference has the same centre,— namely, the greatest happiness of each and of all; but the circumference of morals bounds the entire plane of human action, whereas that of law, of which the radius may be said to be practicability of enforcement, has a much narrower scope. Whatever is legal is, or certainly should be, moral. But there are a thousand moralities the attempt to enforce which by law would lead to evils far greater than those sought to be obviated. In one sense, law itself may be almost called an evil, since it is not only a restriction of freedom in action, but a restriction which unfortunately can often be enforced only at the cost of inflicting lesser evils than it is designed to prevent: thus, for example, the existing medical statutes of most of our States recognize, as the sole license for the practice of medicine, the possession by the licentiate of a diploma from a chartered college conferring the degree of doctor of medicine. And, while it may be perfectly true that the probabilities are greatly in favor of a beneficial result from these laws in limiting the number of uneducated practitioners of physic, it is also quite as true that a factitious value is given by such legislation to a mere parchment, and a standard set which cannot be higher than that of the poorest college whose diploma is recognized as a license; and it is quite possible that in many cases persons of fair attainments acquired through extra collegiate study may be debarred, temporarily at all events, from a right possessed by a far more ignorant graduate of some contemptible school incorporated by a too complaisant legislature. These incidental hardships under existing

laws are more than offset by the increased security of society against ignorant pretenders; but they show how necessary it is to keep it in mind that a statute must be not only right in its purpose, but must neither work greater evil than it prevents nor be impracticable of enforcement.

Of course, no penal or restrictive law can be effectively enforced if its purpose does not commend itself to the moral sense of the community; and every enactment that cannot be vigorously enforced is an encumbrance to the statute book, useless lumber, like the purchases of Mrs. Toodles at auction-rooms of coffins and door-plates that might be handy some day,— nay, worse than useless, for, like lumber in a dark garret, such statutes are stumbling-blocks for the unwary.

The law is a schoolmaster over and above all things. Its chief value lies in the fact that its daily enforcement is a constant voice crying in the wilderness against the evils that it prohibits and punishes. Any one so unfortunate, or perhaps I should say fortunate, as to be called often to a police court must at times feel that the attempt by legislation to check even the gross and palpable crimes against person and property is a never-ending toil of Sisyphus. The stone seems to roll back every night as far as it is rolled up every morning. The same faces turn up, the same crimes are committed over and over by the same persons. We grow disheartened when we seek the good effect of a penal statute among the individuals who have felt its heavy hand,— and this is most sincerely to be regretted,— but we pluck up heart when we see the number of individuals who are deterred from crime and educated to an appreciation of the common rights by the law's enforcement.

The chief purpose of legislators in times past was the punishment and remedy of evil committed. The tendency of modern law is toward prevention. We are seeing more and more the wisdom of the clever Irishman who "hollered before he was hurt," because he could see little use in hallooing afterward.

What has been said up to this point may seem, perhaps, if not irrelevant to the topic, nevertheless such a statement of general principles as it is not necessary to make before an audience of students of social science. And, if the words uttered here found no audience beyond these walls, it might have been well to consider only the desirable features of a good medical act. But I owe the honor of being asked to address you to the fact that it has been my professional privilege for some years to advise those

medical societies that have been striving to protect both the public and the medical profession of the State of New York against pretenders. What is said here is carried to many beyond reach of our voices. What to you may be truisms are to many intelligent men theorems to be demonstrated. Medical legislation is never asked for, but a cloud of misunderstanding and misstatement at once arises, and the proposed measure is attacked as unsound in principle and unfair in practice.

It has therefore seemed proper both to clear away all such mistiness before answering in the most general terms the question at the head of this paper, and to make plain to every one who may hear or read these words the spirit in which the medical societies of New York are acting in this matter,— a spirit that must commend itself to men of fair minds and common sense.

Starting, then, with these general principles,— that under its police power the State has authority to regulate the practice of medicine, and that no law can be of real utility that cannot be enforced actively,— we may examine within what limits it is wise to exercise that authority, and how far its exercise can aid in maintaining a proper standard of medical education.

If no law can be effectively enforced that arouses strong antagonism in any considerable part of the community, it is manifest that a medical law enacted to favor any special class of practitioners of medicine or to uphold or suppress any theory of medical practice or to establish any set of regulations as to fees or otherwise obnoxious to any influential congeries of citizens would probably soon become a dead letter and positively harmful to the whole medical profession. In the *Medical Record* of Sept. 11, 1886, I endeavored, in an article entitled the "Evolution of the Apothecary," to illustrate this point by tracing the struggle of the College of Physicians to reserve to its licentiates their exclusive right under its charter to prescribe medicine. After some two hundred years of successful prosecutions of apothecaries and others, the college met its Waterloo in 1703, when Apothecary Rose, on his appeal to the House of Lords from the judgment of the courts in favor of the college, succeeded in having his appeal sustained, not on points of law, but because the system in vogue seemed to the Peers absurd, as necessitating the employment in trifling cases of two or three persons at large fees,— a physician to prescribe, an apothecary to dispense, and perhaps a surgeon to operate,— a state of things that a Peer would not submit to in the

case of his sick servant, and would not require a poor man to submit to in his own. The physicians had their fee system and their professional pride to thank for their defeat in this as in some other cases. This decision having made it possible for every ignoramus to tinker with the health of John Bull, the same apothecaries who had routed the physicians on the point of fees and acquired a right to prescribe as well as dispense their own drugs after a hundred years' experience of the results of their freedom, during which time general medical education had sunk to a dismal condition and quackery had flowered abundantly, procured from Parliament the amendment to their charter known as the Apothecaries Act, whereby their Hall was empowered to examine and license apothecaries. The enactment of this statute according to Sir Henry Halford, who had opposed its passage, "raised the standard of that branch of the profession amazingly."

In other words, the very men who procured the extension to themselves of the right to prescribe, because of the burdensome regulations of the physician, solicited a restriction of that right when they found that charlatanry and ignorance were rapidly getting control of general practice. In this page of history, we find evidence that a law prescribing, with a view to the general good, educational qualifications for practitioners of physic will obtain favor where statutes partaking of a trades-union spirit, using that word not in its better sense, will fail. I use the word "trades-union" here for lack of a better, and not as one necessarily conveying an objectionable idea. In the sense that a trades-union is a combination of artificers to improve their moral, physical, and mental condition by all lawful means consistent with a due regard to the rights of the community at large, it is a perfectly proper organization, and much to be commended as an element in the common welfare. In so far as such a combination, however, seeks to carry out a plan for procuring high wages by violently obstructing others in their rights to earn a livelihood in legitimate ways, it is an intolerable evil in society. What is true of the trades-union of artificers is equally true of organizations of capital similarly designed; but, both in handicrafts and trade,— the ostensible objects of which are avowedly selfish, being the pursuit of wealth or the earning of livelihood,— such combinations as these are more understandable, if not more defensible, than like combinations among men engaged in the quest of scientific truth. The avowed object of incorporating medical societies is stated in their charters, in New York at

least, to be "to contribute to the diffusion of true science and particularly the knowledge of the healing art." When they transgress these limits, and seek to establish burdensome fee systems or to forcibly check what they consider schismatic opinions, the law interferes to restrain them within their proper bounds. The courts have wisely, in most instances, declined to pronounce upon any questions of opinion or to interpret the word "physician" in acts regulating medical practice so as to favor the therapeutical systems of any body of practitioners. It is all one to the law whether the doctrine of *similia* or the doctrine of *contraria* prevail, whether the patient be dosed with the highest potency or the most heroic bolus; and this point was settled finally and wisely in the State of New York by the case of Corsi *vs.* Maretzek (4 E. D. Smith, 1), where the court refused to accept the contention that a homœopathist was not a physician in the legal sense of the term because he followed a system of healing disapproved of by the majority of practitioners of medicine. No statute can be effective that is even suspected of the design to shackle or suppress opinion. Free thought is the breath, the life, of the scientific search for truth, as humility is its badge. When a man or a profession reaches the point where intolerance and self-satisfaction take the place of humility and fair inquiry, paresis of the soul has commenced. It is the law of our existence that

> "The old order changeth, yielding place to new;
> And God fulfils himself in many ways,
> Lest one good custom should corrupt the world."

I dwell upon this point because the reason that we do not have in New York to-day a State Board of Medical Examiners, such as we find in Illinois and European countries, and such as is requisite to any effective scheme for securing a fair average of education among medical licentiates, is due to the fact that it has proved impossible up to this time to bring into accord as to the organization of such a board regular physicians, homœopaths, and eclectics. About three-quarters of the entire number of medical practitioners in the State are regular physicians; that is, practitioners calling themselves by the name of no "school" or "sect." They number something like six thousand. The homœopaths and eclectics number about twenty-one hundred. Bills to create one or more central boards of medical examiners have been introduced into the legislature during the last four years at the instance of each of these parties. These bills have agreed substantially in all points

save two: first, the examination in therapeutics; and, second, the organization of the board. The physicians have insisted that their numerical ratio of three-fourths entitles them to a representation in the board of at least two-thirds. The two "schools" insist that, if this ratio should be given, their candidates would be plucked and their "schools" effaced, and that, when this was accomplished, the physicians would at once order new vials of enormous size, larger boluses and nastier drugs than ever before, that even the daughter of the horse-leech would be silent from satiety, and the cup and lancet would once more drench the land with gore.

In other words, we have this condition of things: Three parties exist whose interests are at stake in the proposed legislation. All declare that they favor restricting the practice to men who have studied chemistry, botany, physics, anatomy, physiology, diagnosis, microscopy, etc. The homœopaths and eclectics hold no sectarian views as to the atomic theory or the law of gravitation, and agree with those whom they dub allopaths as to which has the greater number of ribs a man or a woman. But, when we come to materia medica and therapeutics, we find a "state of things." Col. Jones, having a severe pain in the vicinity of his sword-belt, sends for his army surgeon, a regular physician; the baby has a sensation in its corresponding region, and Mrs. Jones calls in her homœopathic adviser,— for Jones indulges her in matters affecting her own baby; the nurse, experiencing a similar agitation, tries an eclectic; and the old "mammy" in the kitchen, feeling a like distress, sticks a pin in the carefully concealed rag baby she keeps for such occasions. All experience relief; and each, like the pedler who was kicked off four landings of a factory in quick succession, is lost in admiration of the beauty of the system.

Let us admit the truth that, while surgery has become almost an exact science as compared to its sister,— physic,— the latter is yet in the condition that unquestioning faith in the efficacy of medication and a willingness to break a lance for a system of therapeutics is to be found rather at the bottom than at the top of the profession. Therefore, whatever our beliefs or prejudices, we may as well make up our minds that no law will be tolerated that shall endeavor openly or covertly to favor or obstruct any system of medical practice as a system, regardless of the attainments of its professors. Whatever the facts may be, the law considers that the true physician is no blind partisan of any theory. He knows how feeble his best efforts are to combat disease, how few the medica-

ments that can be used with certain results. In proportion as he is learned and wise, he pins his faith neither to a doctrine of *similia* nor of *contraria*, realizing that differences of opinion arise not from knowledge, but from ignorance.

The stumbling-blocks in the way of every effort to achieve wise medical legislation are: first, the ignorance and greed of the believers in and practisers of *quasi*-supernatural methods of treating disease; second, jealousies among the more intelligent adherents to "isms"; third, jealousies between the mother church of medicine and those of her children that wish to make of their specialties separate professions; fourth, the obstruction from vested interests that consider themselves threatened,— the incorporated schools that have some capital invested, and regard their power to confer a diploma operating as a license to practise medicine as their chief stock in trade.

The condition of our statute books to-day is this: they contain (1) special acts incorporating medical, pharmaceutical, and dental schools, with here and there a general act for that purpose; (2) acts incorporating medical societies of physicians and of sectarian practitioners of motley nomenclature; (3) general acts regulating the practice of physic and surgery; (4) general acts regulating the practice of dentistry; (5) similar acts regulating the practice of pharmacy; (6) sanitary regulations and laws creating health boards.

This jumble is itself an evil and an efficient cause of the propagation of false ideas. A logical law, which will of itself be an educator, will recognize that the principle on which all these statutes are to be defended is that already indicated,— the right of the State to protect the health as well as the life and the property of the citizen. One health statute will then be enacted, and a responsible board created that will have in charge the arrangements of quarantine and sanitation and also the licensing of medical practitioners of every sort; and here I contend that the dentist and the pharmacist, thoroughly accomplished in their calling, are both medical men, and that, the sooner they are so recognized, the sooner existing jealousies as to them will die out, and the scientific character of the profession and its specialties will be raised. The student of medicine and pharmacy must go hand in hand for a while at the outset of their career. The former goes forward to the battle with disease. The latter remains behind to provide suitable ammunition. They are both fighting in the same cause, and will fight much better if each recognizes his fellowship with

the other. It is equally true that the dentist is a specialist in medicine. To deny to these men professional standing is to repeat the history of the past and to create discord and jealousy among those who are working in a common cause.

Legislation can aid in the education of all these fellow-workers chiefly by vesting the licensing power in a central Board of Medical Examiners, and, to some extent, under the diploma standard: (1) by fixing a minimum age under which they will not be allowed to practise their calling; (2) by requiring of each of them a fixed term of study of certainly not less than two graded years, leaving to the board, where created, the care of details; (3) by requiring proof by examination or certificate that each candidate for license had studied before beginning his professional course at least those branches of a general education in which law students are examined in this State before they commence their legal studies; (4) by declaring that no medical school — including in the term schools of dentistry, pharmacy, and midwifery — shall be incorporated by special act, and providing a general law for the incorporation of such schools only upon proof made of the possession by the incorporators of sufficient capital — say not less than a hundred thousand dollars — and teaching plant to justify the belief that the school will be capable of exercising faithfully its franchises. Such an act should contain stringent provisions for its own enforcement and for the forfeiture of abused charters. How useless the mere enactment may be is shown by the fact that section six of chapter 114 of the New York Sessions Laws of 1853 contains a general provision of this nature. Nevertheless, since its passage, some six or more medical colleges have been incorporated by special act of the legislature; and had it not been for the vetoes of Governors Cleveland and Hill, when their attention was called to this general statute by the medical societies, at least one college would have regained by special act its charter of which the courts had deprived it. No greater service can be rendered to the cause of medical education by the State than the exercise of care in creating medical schools, and holding them to strict responsibility when created. The latter will never be done, I fear, except when the laws are invoked by medical societies. (5) A minimum course of medical study should be prescribed, in which a grade of at least seventy per cent. should be attained on examination. The regulation of all details of examination should be most wisely left to the board of examiners. But the topics in

which examinations should be had might well be specified in the statute; and I incline strongly to think that it would be most wise to omit any examination in those obscure topics of therapeutics and materia medica, upon which all medical heresies have been begotten by unscientific minds. One who should creditably pass his examinations in botany, chemistry, physics, anatomy, surgery, physiology, hygiene, diagnosis, obstetrics, and microscopics, especially if his clinical examination should show him to be educated in a true sense to observe and draw sound deductions from observation, rather than crammed like a parrot, might well be trusted to form his own conclusions and pursue his own studies as judgment should dictate in the *terra incognita* of therapeutics.

It has been already said, but it cannot be repeated too often, that the law has nothing to do with medical theories. The utmost it can do successfully is to prescribe that none shall practise medicine except persons educated in those branches of science that all admit are essential to an understanding of morbid conditions of our species, and possessed besides of a fair general education. It cannot prohibit the practice of sectarian medicine and such delusions as mind-cure and Christian science, for this would be an assumption by the law to prescribe what system of healing shall be followed; and it might as reasonably command — as, indeed, I believe it does in Mormondom — that all the sick should be treated by anointing with oil in conjunction with prayer by the elders.

If a man who has passed his examinations in such branches as above indicated shall conclude to adhere uniformly in practice to the doctrine of *similia* or of *contraria*, or even to the profundities of Mumbo Jumbo, or mind-cure, the law cannot prevent him. For his errors, he will be liable always in damages, no matter what system he adopts; and, with that, we must be content. If the education required of him does not keep him to the faith, we may perhaps find in some cases that his departure from it is the opening of a new way to fresh truth. (6) Finally, the law should not recognize any diploma as of itself conferring a right to practise medicine. Even if the possession of such a document should be required as an antecedent to examination by the health board, it should not be allowed to take the place of such examination. It is to the interest not only of the public, but of every medical college of high standard, that the diplomas of what have become known as "diploma mills" shall be deprived of the licensing power, which is their sole value.

Any scheme of medical legislation will hereafter, of course, em-

brace that great safeguard against imposture and efficient tracer of frauds, the system of registration, whereunder no one is allowed to practise medicine who has not made a public record under oath of his name, origin, and credentials for license.

Beyond the point here indicated, it would not be wise for legislation to go. The chief *desiderata* in a good law are brevity, simplicity, and lack of detail. If a diploma standard is to be maintained, it would certainly be desirable that the statute should provide that only diplomas of colleges giving graded instruction and requiring preliminary examination of their matriculants should be received as licenses.

But it may be well to say once more that the mere enactment of a law against a vicious practice will be no deterrent to the transgressor, and, therefore, of no service to the cause of education. He must realize that the law is enforced; and, in order that it be enforced, somebody must be charged with carrying out its provisions. In the State of New York, the regular medical societies have of late charged themselves with the duty of executing the medical act. Such acts have been upon the statute book for more than a hundred years. But prior to 1880 they had fallen into neglect, largely owing to the clumsiness with which they were drafted. In that year, the State Medical Society secured the passage of a new law, and in 1887 of a codification or revision of all the medical statutes; but the law in this State is yet far from perfect, and chiefly for the reason that there is no central body having control of its execution. The most that the medical societies can do is to punish those who practise without diplomas. They are powerless to exercise any supervision over those granting the license. In this regard, the statute of the State of Illinois is far more efficient than ours; and the Health Board of that State has entitled itself to the commendation of all who are informed of its excellent and efficient work.

But the County Society of New York has done enough to show that even a poor law can be of advantage to the cause of medical education. The example of its prosecutions has stirred up allied societies to action, and has constantly called public attention to the fact that the practice of quackery is not safe within their jurisdiction. Adopting the new code of ethics, it has shown conclusively to all who have watched its course that its members have not had in mind the suppression of any system of healing the sick only because they disapproved the methods of that system. It has recognized that the utmost limit to which the law can properly

go is to provide that nobody shall practise medicine at all, by which term the courts understand the use of drugs and instruments, unless he has the slender educational qualification prescribed by the statute. If possessed of that qualification, the society concede that the practitioner has a right to use whatever system may commend itself to his understanding or lack of understanding.

The prejudices and jealousies that prevented the passage of the Examiners Bills have been already alluded to. But, although those bills failed to become law, nevertheless, when the present statute incorporating their points of agreement was obtained by an alliance of all parties, a distinct advance was made, in that the homœopaths and eclectics were convinced that, whether the other societies agreed or not with them in matters of practice, they were willing to join hands with them in securing, if not the best legislation, at least the best possible under the circumstances; and that they were quite capable of bringing forward in good faith a bill actually what it appeared to be, and not secretly designed for the destruction of schismatics. And it is very safe to say that it is only a question now of agitation of public and professional opinion that is necessary in the State of New York to bring about such legislation as will obliterate all sects in medicine, not indeed by harassing the individual practitioner or legislating against any system of practice, but by educating the public mind to the fact that no one should be intrusted with the practice of any system who has not a fair attainment in those branches of study which all admit must be necessary to any one expecting to devote himself to the treatment of disease; and that every one is entitled to the name of physician who is learned in his science, skilled in his art, and capable in his profession of trying all things, holding fast what is true, facing bravely the errors of others, and admitting candidly his own, and, above all, recognizing the possibility of honest differences of opinion, which can be settled only by honest investigation and kindly exposition.

If the law will forbid the practice of medicine to all but those who give proof of a fair general education and reasonable attainments in the branches of sciences and medical study as to which there are no "schools," it will do all that can be asked. Its licentiates will be too intelligent to indulge, as a class, in vagaries, sectarian medicine will disappear or dwindle to insignificance, and the physician will be free to follow where the torch of Truth lights the way.

DISCUSSION OF MR. PURRINGTON'S PAPER.

Dr. ANDERSON.— I would like to inquire if there is not in Philadelphia an institution which issues bogus diplomas.

Dr. CURTIS.— The Buchanan diploma factory is closed for the season. There are others, unfortunately, qualified by legislative enactment to issue diplomas, with no specifications. The number is becoming less every year, and this is chiefly due to Mr. Purrington and to the Illinois Health Board. It was this Board that exposed the Bellevue Medical College of Boston, which was incorporated under the Manufacturing Act. The courts of Massachusetts decided that it was impossible to recall the diplomas granted by the Bellevue Medical College, because, although incorporated under the Manufacturing Act, it had been given the right to issue diplomas; and so they issued them for $125 apiece. But an end has been put to that.

Mr. SANBORN.— Has not New Hampshire a law similar to that of Illinois?

Mr. PURRINGTON.— It has a similar law, but a very mild one, known as the "Medical Tramp Act." It acts against the peripatetic quack as it would against any other vagrant.

Dr. F. BONNEY, of Hadley, Mass.— All who have had any experience know that it is difficult to do anything in regard to these subjects by legislation. It took ten years in Massachusetts to get a law protecting the community against the ignorance of pharmacists. When the bill was first introduced, it was laughed down, not because it had not merits, but because the pharmacists themselves — those not well educated — did not favor it, and the people felt that it was making a class, that it was favoring physicians in a certain way, and therefore they opposed it. I suppose all legislation must look to the interest of the community, and must be kept as far as possible away from the idea of favoring any particular class. I can remember some of the things of which Mr. Kingsbury speaks, and can see the progress that has been made; and it should certainly give us great courage in thinking of the future. Great progress is still to be hoped for. The allied sciences of chemistry and microscopy, and all those collateral studies, have an immense influence in this matter, as Mr. Sanborn has shown. It was the misfortune of the earlier physicians that they had not our present opportunities; for these sciences did not exist in those days. It is therefore to the younger men of this country that we are to look for progress in medicine. The public must be taught to co-operate before we can accomplish anything by legislation. But there is reason to hope that in the future we shall have proper laws, and that they will result in elevating the profession as well as in protecting the community.

3. THE VALUE OF A LIBERAL EDUCATION ANTECEDENT TO THE STUDY OF MEDICINE.

BY SYLVESTER F. SCOVEL, OF WOOSTER, OHIO.

Better education is the watchword of these closing decades of the nineteenth century. The demand for it does not respect the masses only (though the diffusion of education had its own obstacles to encounter), but it concerns the professions also — and all of them. The old standard of trust cannot be maintained without that better education of professional men, which will preserve the relative advantage, heretofore a marked feature of civilization. The high motives and keen sense of responsibility, without which any man is only a hireling and his "honorarium" is only wages, plead for more knowledge and ampler training, both in and before professional life. Every profession must claim breadth, if the need it meets is broad, and depth, if that need is deep. Therefore, its right to exist is a right to have educated men enter it. Every profession has its store of accumulated facts and a philosophy of those facts (or several philosophies contending for acceptance); and these things represent centuries of mental stress,— not without some distress. Such accumulations and even unfinished philosophies (nay, the more *because* unfinished) entitle it to a share of the best intellectual stock the world contains, wherein it may graft and from which it may (and the world may) hope for a perfect fruitage. And, surely, the interests which the world has at stake in the professions demands that they shall be thrust ahead and kept ahead. As no professions exist except as creations of social necessities, so no social need is so necessitous (not even those which lie at the bottom) as this which lies at the top. The masses demand leaders. The armies must have pioneers. There must be physical, mental, and moral, political and religious investigators. These always have been and always will be the professions. On with them, then! society cries. Tell us which is the way out of this wilderness of suffering, and ignorance and vice, and official corruption and doubt! There is no social surface which does not play at making echoes of this demand for better professional education.

This better education is demanded for the profession of medicine, and no wonder! Medicine's general progress out of savagery and superstition and simples — and the use of remedies of unknown power on diseases of unknown character — the physician striking at nothing with something he knew nothing about, and hitting it every time — is the thing about which the world is congratulating itself to-day hugely, notwithstanding the lingering echoes of such declarations as that of the witty Autocrat (no other would have dared), "Were all physic thrown into the sea, it would be better for all concerned — except the fishes." And progress demands education, to comprehend progress and to *progress* yet more. Greater advances are making and to be made, and the world is impatient for them. Men are so avaricious of life that they will presently expect the profession to be doing in the thorax what they are doing in the abdominal region, with its abnormal growths and injuries so little while ago surrendered as Death's own province. The general fiduciary relation of all professions is accented in this one, and accents in turn the demand that all shall be known which can be known. If the physician wishes his patient's patient confidence, so that he shall not look past him to another, he must beware that no other has ever looked beyond him, and attained results he might have known, but does not know. That principle of medical ethics which makes common stock of all new knowledge, instead of locking it up under patents, calls for educated men, that this knowledge may fall into fruitful soil. New knowledge can only reach the suffering through vigorous absorbents which shall put it into circulation. This demand is made most earnestly by the profession itself. The American Medical Association in session at Cincinnati last May is said to have received with "storms of approving applause" the suggestions of President Garnett concerning a Committee of Legislation which should provide for the issue of no charters to future Medical Schools except upon condition of their requiring a "four years'" course, and suspending matriculation upon a "satisfactory examination, both oral and written, in the ordinary branches of academic study." The Committee was also commissioned to secure Boards of Medical Examiners in each State and Territory; and the faculties of existing schools were urged to hold a convention for adopting a more uniform, more comprehensive, and more rigid system of medical education, for announcing the "requirement of a preliminary education *including some knowledge of the classics*." A portion of the

course commended was also indorsed by the Pennsylvania State Medical Society at Philadelphia in June.

To this demand of the profession the common voice responds; and nowhere is there any objection even to legislation (so it be wise and practicable) by which this double object of thorough preparation for, and thorough preparation by, medical education may be secured. Dr. R. Stansberry Sutton has said, in his address to the American Academy of Medicine (1886), that these ends can be gained "only by legislation." Distinguishing properly as to what may not be done in the way of interference with opinion, he adds, "The police-power of the State has authority to regulate by law the practice of law or medicine or anything else that affects the welfare of the citizen." Legal requirement of antecedent preparation and extended study is based on common sense and the rise of education everywhere. It grows out of the law of social self-preservation, which cannot permit an individual (so interwoven as every individual must be in the life of the community) either to live unto himself or die unto himself. The public cannot do without educated physicians in that struggle for survival which is keener under consciousness than it can be below consciousness, and which has no respect to fitness or unfitness. Law, to keep men from killing their fellows through ignorance, is as just as that which takes malice by the throat with a ring of hemp. And nowhere more than here is *laissez-faire* seen to be the most transparent nonsense.

But to come a little closer. This demand for better education of the physician of the future may itself be subjected to analysis,— indeed is so subjected the moment you begin to think about it. It may respect the continued studies which must go on in and with practice. No juster demand can be made. It is criminal not to be looking out for new facts and methods. It may respect the thoroughness of his professional preparation, whether two, three, or four years in length, whether at this standard or that in facilities, in spirit, and energy, whether finally tested by this or that series of examinations. It may go behind this and respect the amount of previous study, with the spirit and tests of that, and the maturity of mind attained thereby. That this is a just demand, and one specially to be emphasized as fundamental to the other two, and as a matter of pressing and present concern, may be shown by what follows: —

I. The general demand upon all professions is in the same

direction. The clerical Academies, Colleges, and Seminaries, with their array of Professors, Libraries, Fellowships, and Lectureships, make a most fair showing and a most complete answer to any charge of obscurantism concerning the training for that profession. The Law shows its ample demands for schools of instruction and schools of practice (*i.e.*, attorneys' offices), and has attained the Boards of Examiners separate from teaching faculties, to which Medicine aspires. The German University courses, which deal with the foundations and fountains of legal power, are marvellously rich and varied. No wonder the French say, "Il y a des juges à Berlin." Teaching enters the ranks of the professions only by this provision of Normal courses and Normal schools, and professional training by Institutes, and the creation of an ample literature. College men go more and more into teaching. Journalism follows, hesitatingly, but yet surely; Professorships will follow Associations. The tripod will become the greater pulpit, the wider forum, the universal day-school (Sunday will yet be excepted). The old haphazard way is yielding to broader and deeper conceptions of the responsibility as well as of the power of the press. And the latest born, the scientific statesman, is passing through the same evolution. Higher "seminary" work in the Universities, more "Civics" in the undergraduate courses, more special libraries and lecturers, tell the story here. Is it for a moment to be held possible that Medicine can resist the demand for preparation before professional study, which is thrusting itself upon all the new candidates for standing as professions, and was always upheld by a large section of the medical profession from the beginning? So much for even a glance at this consideration. That profession must lose its prestige which does not imperatively demand minds sufficiently matured and disciplined to receive its present and develop its future.

II. But cast the eye abroad and note the careful dispositions made by the older nations in this regard. The English situation is reported as allowing only nineteen medical schools for the whole kingdom, and insisting upon an "extended preliminary examination," forty-five months of study, and the sustaining of "severe scrutiny" at the close. Germany is said to demand a four years' university course as conditioning a medical degree; then there must be another year's special study and final examination by a government board. The requirements in these and other nations are rather increasing in severity than otherwise. In our

country the preliminary education may be required even more justly than elsewhere, since the necessary opportunities abound on every hand. The high schools improve with rapidity. The colleges abound with impunity, I was about to say,— being three-deep (which is almost knee-deep) in one county in Ohio,— and, for the general purpose we are considering, many of them are as good as they are cheap.

III. The demand only grows in volume when we consider the present unsatisfactory condition of things. I find that in 1886 Chancellor Pierson's assertion, made in 1884, was still regarded as true by Dr. Watson of Utica, in presenting the report of the Committee on Medical Education, and that after special investigation, to wit: "No class of professional men entering upon professional life with degrees conferred upon them by authority of law, by institutions duly organized and chartered by law, are so ill-prepared in all fundamental knowledge, and in those preliminary studies which form the basis of educated men, as are those of the medical profession. Yet no profession demands so much careful judgment, such maturity and broad learning." Dr. Watson seems to have in part accounted for this state of things by saying that "there is no standard of medical qualification for entrance into the profession, except that which the 123 medical colleges of the United States may choose to adopt; that in only about 60 per cent. of these is any examination whatever required preliminary to the study of medicine; and that in most cases where any is required it is of the most elementary kind." And Dr. Watson alludes to the temptation for over-multiplied medical schools to underbid each other, by the "paucity and laxity of educational requirements." The exceptions are considered to be few. The remedy suggested is the threefold and now familiar prescription: —

1. A fairly liberal preliminary education.
2. Four years of professional study.
3. Examinations and licenses by an impartial court appointed by the State.

The large majority of medical students are not even "well-equipped graduates of secondary schools." "The high school graduates are among the best men we have," said a well-known professor. "It is the men without an elementary education, who can't spell or write English, of whom we complain." In New York's twelve incorporated institutions," five — including the oldest

and largest — make no requirement of preliminary examination. One requires a common school education; another, a certificate from the preceptor of a medical student; another, four of the common branches; another, four of the common branches and algebra; another, spelling, arithmetic, and Latin through the declensions and conjugations." The situation is that of sixty millions of people given for future life and health into the hands of fifteen thousand medical students, of whom about one-third are graduated each year, and whose preliminary education is described above. It makes one shudder to note the inevitable result of such easy access to a lucrative and respectable life-calling. During the decade 1870–80, the medical profession in the United States increased by twenty-five thousand persons. The latest statistics I have seen affirm that we have "twice as many physicians (proportionally) as Canada, three times as many as England, four times as many as France, and five times as many as Germany." These figures show that the easy way into the profession needs to be locked up, and quality sought more than quantity. The American Academy of Medicine declares through its president's address of 1886 that there is a "lamentable deficiency of general information in a vast majority of the graduates in medicine. One of the objects of this society is to rid the profession of illiteracy. It requires as an essential condition of membership not only a knowledge of the theory and practice of medicine, but also graduation (either classical, literary, or scientific) from some respectable institution of learning; and we aim to make it indispensable to admission as a student of medicine that the candidate shall have a diploma from a regularly chartered college." But enough. The dissatisfaction with the present situation and the determination to construct a better one are obvious.

IV. But we may take a step closer, and examine the matter from the nature of the case. What is there in a liberal education which can show claim to be antecedent to the study of medicine?

1. The practitioner will need to know the languages. Through the ancient he will easily reach and comprehendingly grasp the terminology of his own special science and of all kindred ones. How many a composite term of barbarous and polysyllabic unfamiliarity becomes a picture-word when its elements are known! Science does not employ dead languages to name living objects merely to seem learned. That were the merest trifling and pedantry. Nor does she use them to conceal while revealing, but

because they are every way better for the purpose. The student is complained of who loses time in catching the word of the lecturer, when the word should be helping him to catch and hold the thing. The study of the ancient languages is a superb drill to memory; and what can a physician need more than an accurate memory? Attention to minute points and sustained scrutiny give an invaluable training for research. There is, it has been claimed, a very close analogy between the analysis and synthesis one must use in studying language and the study of "abnormalities of disordered physical forces and functions." An enlarged vocabulary enables the physician who discovers to communicate his observations clearly. I have known one gentleman — a clergyman who had been a physician — who added to the slenderer income which accompanies the cure of souls, as compared with the care of bodies, by putting into literary shape the material of his *quondam* brothers in medicine. Dr. Sutton reports that "Professors Billroth and Esmarch have both published to the world their conviction that this line of study is indispensable to the medical student." For the modern languages it may be claimed, in addition to some of the above considerations, that they introduce the student into rich literatures in every great department of medicine and its tributary sciences. They make the student a cosmopolitan in embryo. They tempt him constantly to look through the windows into the larger landscapes. One may stump along without this development through the study of language, but will be able to direct others more clearly, to make his own observations and records more accurate and intelligible, if he has it.

2. None can doubt the medical student's need of the physical sciences. Physiology itself needs to be supplemented with some Physics, that the mechanism of the body may be better understood; and the correlation of forces must be kept in mind. Chemistry comes of course; but previous familiarity with its elements and some practical acquaintance with Botany will make the student far more independent in his management of the material in the pharmacopœia. Zoölogy and Biology are full of points of interest and value, and furnish parallels and principles also. The study of disease as related to climate is far from valueless.

3. The medical student needs to have acquaintance with the main facts and principles of Mental science. The relations of Body and Mind are as delicate as they are intimate. The interactions are as complicated as they are constant. The phenomena

are as difficult as they are important. Many physicians become materialists for want of knowledge of the plain facts of Psychology. (Little importance need be attributed here to metaphysical speculation.) On the other hand, from the physician we must expect many of the facts which (when sifted and generalized) will yield the residuum of truth in what is now called Physiological Psychology. But, apart from these more general relations, the physician needs in daily practice a keen, clear knowledge of pyschological principles and their application. He must watch for hidden causes of visible symptoms. He must minister to a mind *before* it is diseased, and when only slightly perturbing, or disturbed by, the physical system. It is "impossible," says an experienced writer, "for a man to understand disordered mental action who has no knowledge of normal intellection." How shall a man care correctly for a dual being without knowing both sides of him? As well attempt to administer to a need of the arterial system without considering the state of the venous system; for Mind and Body are continually pouring into each other influences subtler than electricity, and through tubes finer than the capillaries. The physician must be able to discern the relations to each other, and the condition of each of the Presentative, Representative, and Thought functions, so as to determine the respiration and the temperature. He should be able to note at a glance the traces of a too constant association, or the lightning touches of an excited and undisciplined imagination. He must discern the inconsequences between datum and deduction, which marks the point where reason deserts her throne. If a knowledge of Psychology is beginning to be demanded of the primary teachers in our public schools, it cannot but be high time for those who deal with children and parents and teachers alike to know the main conditions and properties of normal mental action. How otherwise shall the practitioner warn his patients against "Metaphysical Healing," which pretentiously describes itself in a French title thus: "*Doctrine médicale déduite de la métaphysique pure, conduisant à l'application naturelle du remède à la maladie avec formulaire.*" Such a long way from "*métaphysique*" to "*formulaire*"— and all for *one dollar!* Must not a physician beware of the effects of fear or of cheer? Ingersoll claims the credit, I think, of saving two lives, at least, by injecting some humorous sunshine where those about the sufferer were altogether sepulchral. In an essay on Cholera and Fear, Dr. Holcombe said to the Southern Medical

Association in New Orleans, "The mind of man is constantly at work, silently pervading every tissue of his body by its vital influence, repeating itself in every function, throbbing in the heart, breathing in the lungs, reflecting itself in the blood, weaving its own form into every act of nutrition, realizing its own life in every sensation, and working its own will in every motion."

4. Nor less plainly ought the student of medicine to know something of Moral Science. We can never forget that it is less true that man has conscience than that conscience has the man. For himself the physician needs to remember his peculiar opportunities and obligations. Temptations are abundant, apologies cheap, and inducements sometimes large; but sturdy clinging to the right in professional practice and personal character is the only worthy thing. Right and wrong must be sacred in his hands who lives so near the mysteries of life and death. And, as moral influences affect life and character at every turn, he must be looking out for them. A distinguished medical writer says: "The practitioner can scarcely be engaged in his duties with a right feeling of their importance without discovering that moral influences operate very extensively both in causing and in curing the majority of maladies. He sees, too, that religious hope enables the patient to bear calmly, and even cheerfully, those evils which therapeutic agents, however important, can neither remove nor ameliorate, while the absence of religion often aggravates disease and adds terror to death." Direct effect upon morals may not be ascribed to medicine. Theognis is quoted by Aristotle with approval for saying,—

> "If to the sons of Æsculapius had been given
> To cure the vices and bad hearts of men,
> Many and great would their rewards have been."

But indirectly the relation of the physician to morals is of commanding importance. He knows best the desolation wrought by vicious indulgences. He can best apply the great prophylactics, and divert into channels of healthful activity what would prove destructive if not allowed to be diverted. Almost every moral law has its physical basis. Who can speak with such authority on the whole line of motives to right doing, growing out of this impressive fact that the God of the Law is also the God of law? It must never be forgotten that men are moral beings from top to bottom, and that therefore such counsels as follow great ethical laws, in food and drink and sex and society, are *essential* to well-being.

How much is being done to moralize the world, and move it slowly toward that dominance of the right which will foster every other development, by the wise teaching and authoritative prescription of clear-eyed Medical Science! And how beautifully, in turn, Morality pays back to Science the bright youth with springing step and clear skin and vigorous hold on life, and keeps paying back the debt in the ever-advancing physical beauty and strength visible in each successive generation! It is glorious to have anything to do (and a true-hearted physician has much to do) with nurturing and guarding the magnificent young men and maidens of whom our land is full.

5. And as to social science there can be no controversy. Who shall be interested in and influential about that corner-stone of social organization — the family — if not the one we significantly call the family physician? He is the true Social Scientist. Society can never be what it must be without an army of liberally educated, broad-minded, and large-hearted physicians. Malthusianism encounters within their province its gravest physical and moral problems. A population taught the art of healthful living, by determined and intelligent physicians, can live in comfort with wages which, if squandered, will only leave them half nourished and wholly discontented. And this not with a view of permanently low wages, but the reverse; because such communities will always inherit the promise (which is also a law in Nature), "Unto him that hath it shall be given." What reform is there, really such, which the physicians could not carry if they would? Political science goes with social, because one cannot conceive under our skies of any man willing to be anything less than a man and a citizen. Who shall be penologists if not the doctors? How much may be endured in punishment before cruelty begins? Is there any better death for the murderer than the scaffold and rope? How far is it possible to keep up healthy mental action (and hence reformatory results be reached) in separate confinement or without labor? There is the Drink-curse. Who can tell us so well the testimony of heredity against it, or unfold the philosophy of a vicious appetite, or demonstrate a poisoned stomach so well, as the physician? Men care so much more for a bad stomach (literal) than for a bad heart (metaphorical) that I am sure the physicians would outstrip the ministry if they should once give their whole hearts to pulverizing the rum-power. The public duty of the profession demands deep-laid foundations on such subjects. Dr.

Beardsley has said (*Sanitarian*, May, 1888): "I consider that medicine, both as an art and science, has occupied itself too much with individuals and not enough with generalizations. It has studied only to relieve the present suffering of the individual and to prolong his life: the physical well-being of the whole race has been left almost entirely without consideration. Much more noble is it to prevent diseases than to cure them, to keep out the germs of disease than to find a specific to destroy them. It is a noble mission to relieve the sufferer, but nobler to prevent suffering. Educate the people in self-preservation."

6. But this — all of it — is only (or mainly) the information side of education. Does not the physician quite as much need the *disciplinary* results of a liberal education? Opening vistas are of little use to a blind man,— so information is of little value to an undisciplined mind. But this discipline is the choicest result of the preliminary education for which we are pleading. Intellectual power is the reward of intellectual exertion. And this the physician pre-eminently needs. Who needs to *see* as he does? Who so needs power to know the meaning of what he sees? Who needs so much to know *indicia* which are slight but vitally significant, from slight and insignificant circumstances? Who needs the subtle power of generalization by similars thought into identity as he needs it? If the "protracted attention and involved processes of mathematics" or the exact notifications of biology and chemistry, or the discursive debates of logic, or the penetrating self-references of psychology, can give these great powers of well-trained reasoning and accurate and quick observation, then, of all men, let the physician have them. And let him have them, where they ought to come,— before his merely technical education.

In the absence of President Scovel, whose paper is here printed, though it was not read, Dr. GRACE PECKHAM, of New York, Secretary of the Health Department, said: —

Most of the points having already been touched upon, it only remains to emphasize a few. Dr. Scovel has presented the idea of a liberal education antecedent to the study of medicine. He says a higher education is now demanded in every department of science and in all professions. Ours is no exception to this. The Women's Medical College of the New York Infirmary was among the first colleges in the country to insist upon entrance examinations and to require a three years' course. The New York College of Physicians and Surgeons for the first time this year requires an entrance examination. The numbers at the Women's College of New York have been very small because of the high standard it has required; but, in spite of this, the managers, the trustees, and the faculty have maintained the requirements. Every year they raise the standard, valuing quality rather than quantity. A very interesting editorial bearing on this question appeared in a recent *Medical Record* of New York, relating to the overcrowding of the medical profession, from which, with your permission, I will read: —

It is generally admitted that the number of physicians in this country is much greater than is needed to attend to the wants of the people, and far too great to be compatible with the best interests of the medical profession. In his annual address at the Cincinnati meeting of the American Medical Association, the late Dr. Garnett referred to this overcrowding, and used it as one of the arguments in favor of a higher medical education. "That the professions of law and medicine are overcrowded in this country," he said, "no man of common observation will deny. The ratio of professional men in the United States to the population exceeds that of any other country in the civilized world, so that any legitimate means of checking this evil, which can be devised and carried into practical effect, must be hailed by the medical world, as well as the general public, as an inestimable boon." The speaker estimated that the ratio of practising physicians in the United States to the population was about as 1 to 580. The general belief seems to be that this ratio is not decreasing, but that, notwithstanding the rapid increase in population, the proportion of the latter to each physician is constantly growing less. It is gratifying, therefore, to learn from the report of proceedings of the quarterly meeting of the Illinois State Board of Health, held in Chicago in June last, that this is not the case.

Dr. Rauch, the Secretary of the Board, referring to Dr. Garnett's

address, shows that there is not so great cause for alarm, but that the tide has apparently begun to turn. Quoting from the forthcoming report on Medical Education, he says that, notwithstanding the growth of population, the total number of medical students has never yet reached the proportions attained in 1882–83. The sessions of that winter were attended by 13,088 students; of 1883–84 by 12,763 students; of 1884–85 by 11,975 students; of 1885–86 by 12,321 students; and of 1886–87 by 12,948 students. Although there was a gain last year of 627 students over the attendance in 1885–86, the aggregate in 1886–87 was still 140 less than in 1882–83. Not only is the absolute number of students growing smaller, but what is of perhaps even more importance, as indicating a better quality of the finished product, is the fact that the percentage of graduates to the total number of students is steadily diminishing. In 1882–83, out of every 1,000 matriculates 322 were graduated, taking both the United States and Canada and all schools of practice into account. In 1886–87, only 294 out of every 1,000 matriculates were graduated. In the United States alone, in 1882–83, out of every 1,000 matriculates 331 were graduated, while in 1886–87, only 305 out of every 1,000 matriculates were graduated. Thus it is seen that, while the population increases — according to the census authorities — at the rate of two per cent. per annum (exclusive of the increment by immigration), the number of new graduates entering the profession was nearly eight per cent. less in 1886–87 than it was in 1882–83.

The causes which are working to produce this good result are chiefly two. In the first place, it is getting to be more commonly understood by the laity that the physician's calling is not an easy nor a lucrative one, and that a young man whose ambition it is to acquire a fortune cannot choose a less certain means of attaining this end. But the second and more active cause is the gradual evolution of the medical school from a business college to an institution for scientific training. The effects of a demand for a preliminary education, of a graded course of studies, and of a higher standard of qualifications for graduation are beginning to be felt. The number of graduates is less, and the proportion of well-educated men among them is greater. The example of the leading medical schools of the country, and the influence of an awakened professional opinion, will doubtless be able to raise still higher, rather than to lower, the educational standards now in force. But it must in justice be admitted that to the work of the Illinois State Board of Health, and of its able and untiring secretary, Dr. Rauch, much of the credit is due for the improvement now being made in the methods of medical study throughout the country.

You see, then, that there is cause for congratulation; that we are improving instead of retrograding in medical education.

With regard to the proposed law, I would say that law is only the

expression of public opinion; and as soon as public opinion raises the standard of requirement for physicians, then the standard of physicians in colleges will be raised. I read not long since of a quack who had come to grief in some of his ministrations to the sick, and was called before the courts, when, to the surprise of every one, he produced a diploma obtained from a regular college ten years previous. When asked why he had never let it be known that he possessed such a diploma, he said that he began to practise medicine as a regular physician, made a failure of it, and turned his attention to other business. While following that business, one or two of his neighbors were taken ill, and he prescribed for them. His success was so great that they recommended him to others, until finally he had a large and flourishing practice,— what he was unable to obtain as a regular physician.

We have owed, as Mr. Sanborn says, in this country the endowment of our educational institutions to the benevolence of private individuals; but there is no more important claim that should come under the notice of the Government than the health and welfare of its citizens. It is found that whatever scientific work is supported by Government advances more rapidly, more thoroughly, and more successfully than in any other way. Take the work done by the Government for astronomy, for instance. Since the United States has taken under its protection the observatories, our researches have taken rank with the foremost in the world. I have thought that there should be also Government aid for scientific research in that which pertains to the health of the people. The endowments of private individuals, though of great assistance, leave much to be desired. Those men who are best capable of scientific investigation are usually least capable of earning money or dealing with the practical necessities of life. If they were assured of a regular income, and their time were given them for scientific work on such matters as microscopic study of tuberculosis, cholera, etc., which requires constant endeavor, minute research, and the entire time of a scientific person, I think the result would be of the greatest benefit to the country.

FURTHER DISCUSSION OF MEDICAL EDUCATION.

Mrs. C. H. Dall, of Washington, D.C.— One word about the Mormons, to whom Mr. Purrington referred. When I was in Salt Lake City, I had the privilege of reading the private papers of

Brigham Young; and I never read papers of such interest. They show his wonderful astuteness. He found the grossest superstition about medical practice when he came into power, and was obliged to call in "Gentile" physicians. He then selected persons to be medically educated, and he was sensible enough to see that they must be liberally educated. At the bottom of one of the pages of his manuscript, on which he had recorded a discussion upon inspiration, he wrote, "Inspiration is common sense." Inspiration in his view *was* common sense, and he carried it into all practical affairs. He sent both men and women to learn medicine; and three Mormon women have taken degrees in Philadelphia, and passed creditable examinations. He himself meanwhile studied medicine, and made himself a practical *accoucheur* and surgeon.

Mr. PURRINGTON.— I had myself the pleasure of spending six months with one of the sons of the Prophet, and of staying with the physician who treated his wife. The argument that I use is that the same theory which would justify a system of irregular practice would justify what I think is the legal practice among the Mormons. Their law, I think, contemplates the "anointing with oil and the prayers of the saints for the healing the sick"; but Brigham Young, with that wonderful common sense of his, had a revelation by which this prescription of the Book of Mormon was evaded. It is to their credit that they have a divine book with a provision for amendment by revelation. I do not think legislation will ever destroy Mormonism; I think the French milliner will do it.

HENRY D. SMITH, of Connecticut.— I do not believe that the existence of quacks in a community is an unmitigated evil. There is a large balance of common sense on the part of the laity, that in the main will keep them from a class of people who do not understand their profession. Is not the important question, after all, What can a medical man do? I think we can let people settle that point. You tell me that quacks are doing a great amount of evil, and I do not doubt it; nor do I doubt that the regular profession is doing a great deal of evil, especially the younger men. It is a choice between two evils, at best. You tell me that men cannot cure by Christian Science. I do not know that they can. But we have had some mighty examples of their doing it. Facts are stronger things than theories. A neighbor of mine had an organic disease which the physicians told him would last as long as he lived; and that person was cured by Christian Science, to the joy of all good men. Yet the profession said, That is quackery. If they *can* do all these things, we laymen shall find it out. I have another neighbor who is so fixed in his habit of employing nothing but an orthodox physician that he said that he would rather die in the orthodox way than employ a physician out of the regular profession. I have no apology to make for quacks, but I am here to say that all the virtue does not lie inside the regular profession.

Dr. F. Bonney.—A few words in explanation and addition to what I said before. It did take ten years of effort to get an act regulating the practice of pharmacy through the legislature of Massachusetts, although its purpose was to protect the people from either incompetency or casual mistakes. When the bill was first introduced, it was laughed down, not because it had not merits, but because pharmacists themselves generally did not favor it, while the people were suspicious that it was favoring physicians in some way. All legislation of this character must not only look to the interests of the public, but they must so understand it; and it must be kept, as far as possible, away from the idea that any particular individuals or classes are to be favored. There is great sensitiveness upon this point. I am old enough to remember some of the circumstances mentioned by Mr. Kingsbury, and can see the progress since made, which should certainly give us courage in thinking of the future. Most, if not all, of the reputable schools of medicine in this country have already raised their standard of qualification for admission to their classes; and they will undoubtedly place it still higher hereafter. I am very certain that none of them would, at this day, admit students with so imperfect preparation as was formerly (sometimes) done. And this is so well understood that few, if any, such persons would now attempt to gain entrance to them. Great progress is still to be looked for. The allied sciences of chemistry, physiology, and pathology, and other collateral studies, have immense influence in this matter, as was remarked. The earlier physicians were unfortunate in not sharing our opportunities, for they lived when these sciences were imperfectly known. The younger men of America, with their greater facilities and broader fields for study, must give us progress in medicine; and the public must co-operate before we can accomplish much by legislation. But there is reason to expect that we shall have proper laws enacted, which will result in raising the standard of the medical profession, while protecting the public.

4. UNSANITARY CONDITIONS IN COUNTRY HOMES.

BY DR. LUCY M. HALL, BROOKLYN, N.Y.

"The world moves. The trouble is, we don't keep up with it."

When we consider the progress which has been made in sanitation as a science within the last twenty years, we involuntarily exclaim, "Ah, how the world is improving!" But, while indulging in this well-founded enthusiasm, we must not forget how small are the numbers who make up this advance guard of promoters and protectors of the public health. They are as the apex of a triangle, from which extends an ever widening area of ignorance, steadily deepening in degree until it is closed in by a broad base, where the obtuseness, the utter absence of knowledge of everything which pertains to matters of hygiene, remains unmoved and untouched in the old ruts of half a century ago.

That the majority of the dwellers in our great cities are living out their allotted, or rather greatly abridged, span of existence amid surroundings many of which are directly or indirectly unhygienic, we have daily and hourly evidence; for, whether we peer into the aristocratic twilight of an up-town mansion or the murky gloom of a fourth ward rear tenement, we find conditions and habits of life which are at war with the best teachings of sanitary science.

This being true of the city, the grand focus of sanitary lore, it is not strange that it is even more markedly true of the country, where new ideas are at best but slowly disseminated. The doctor who advised his patient to throw her sick child out of a fourth-story window, as offering a better chance of its life than a sojourn in the country, held extreme views, I confess; but his prognosis could easily be verified if a little margin for selection of locality were allowed.

"Now do come to see us! At this time of year the farm is just lovely, and the house is always the dearest old place. It is precisely what you need! Come next week." This enthusiastic but somewhat fragmentary invitation having been duly accepted, I appeared at the appointed time and place, with the tiniest of grip-

sacks, and was greeted with a degree of cordiality which left nothing to be desired. But, as we approached the really fine old homestead, one of the young ladies who had met me at the station remarked, a little ruefully: "Really, our house is a hospital just now. Father has malarial fever, has been dreadfully ill, too. Mother's rheumatism has come on again. My eldest sister is wretched, though we don't know what ails her; and — well, you know that Lou and I are never well." Yes, I did know the latter; and that was one reason why I had wished to visit the much vaunted home of these fragile girls.

One glance showed a large, roomy house, surrounded by a close growth of trees, evergreen and deciduous, their dense shade allowing scarcely a flickering ray of sunshine to fall upon the mossy old roof or closely drawn window-blinds. The trees extended all along the walk from front and side doors to the gate; and over the stunted hedges which bordered these walks lay a gauzy fleece of cobwebs and mildew. The pebbles of the walk were flecked with green mould; and, though it was a sunny day in midsummer, I drew my wrap about me with a little shiver as I passed across the veranda into the darkly shaded hall. To the right of this hall was a large sitting-room, faintly lighted and heavy-aired. To the left was the best parlor, dark as night when we entered it, the hastily turned slats of a window-blind revealing a room so dismal, so hopelessly sepulchral, with an atmosphere so horribly and distinctively its own, that I shudder at the recollection of it. After a few heroic gasps, I weakly begged that my entertainers would not make company of me, at the same time venturing to remark that I liked better to be out of doors than in the house. As I stepped forth from that Stygian gloom, I heard with joy the slats of the blind snap to, the faint bang of the sash as it dropped over the six inches of ventilating space, the rattle of the heavy shade as it was pulled down over all; and I inwardly prayed that I might be spared a further acquaintance with that terrible room.

The sleeping apartment assigned to my use was large. It had one small window, covered in by mosquito-netting, opening from the bottom for a space of five inches. Suffice it to say that, except in the dining-room, I saw no room in the house which seemed ever to have been ventilated or to have welcomed a sunbeam upon its damp-stained walls. The out-buildings were either attached to or within a few feet of the house, and their effluvia were added to the already burdened atmosphere.

I learned from scraps of the conversation that the family had suffered greatly from ill health, and that new-comers almost always became ill after a short residence here. The most astonishing thing of all was that the thought seemed never to have crossed the minds of any of these good people that there was aught which was insalubrious or that needed to be changed in this the home of which they were so proud. The next morning I took my departure, thankful that the little grip-sack confirmed my statement that I had run over for but the shortest of visits. The rich milk, the luscious fruit, the cordial urgency of my kind entertainers, though tempting, could not outweigh the awful fear that, if I remained, I might again be ushered into that best parlor, or the dread of passing another night in that mouldy room, with the five by twenty inches of ventilating space.

So strong was the impression made by this little incident that, during the wanderings of two summer vacations,— partly in New England, partly in the Middle and Western States,— I systematically investigated the condition of a considerable number of farm-houses,— sixty-five in all,— and received reports of many more. Character of soil, number and situation of shade trees, age and construction of the house, windows and their management, location of bedrooms and living-rooms, condition of cellar, water supply, location and condition of out-buildings, disposal of waste, and health of occupants were especially noted. The gathering of these statistics was a matter of much interest to me. One particular type of house was usually found to prevail in a certain locality, and the same held good with regard to ailments. Remarks like the following were often heard: "Oh! nobody has a cemented cellar around here"; "Yes: the cellars are nearly all damp"; "Well, I guess nearly everybody in these parts has more or less rheumatism." In this way, the histories of a few houses might fairly be considered to cover a much larger number in the same region.

The more important of the observations recorded have been condensed in the following: —

1. Soil: In New England, the proportion of houses erected upon sandy soil was 27%; in the Middle States, 14%; in the Western States, 27%. Proportion upon loamy soil: in New England States, 62%; in the Middle States, 19%; in the Western States, 60%. Proportion upon wet clay: in New England States, 11%; in the Middle States, 67%; in the Western States, 13%.

2. Too closely shaded: In New England States, 50%; in the Middle States, 49%; in the Western States, 62%.

3. Age of houses: In New England, the average age of the houses visited was 49 years; in the Middle States, 40 years; in the Western States, 19 years.

4. Sleeping-rooms on first floor: In New England, *all* (some having two, three, and four thus located); in the Middle States, 99%; in the Western States, 84%.

5. Sleeping-rooms not warmed in winter: In New England, 72%; in the Middle States, 24%; in the Western States, 19%.

6. Shut up "best parlors," and house in general kept too dark: In New England, 85%; in the Middle States, 68%; in the Western States, 60%.

7. Condition of cellar, damp or wet: In New England, 60%; in the Middle States, 93%; in the Western States, 80%. In half the cases, the cellar did not extend under the whole house. In a few instances there was a cemented cellar.

8. Well in house: In New England, 18%; in the Middle States, 14%; in the Western States, 23%. Distance from barn: in New England, nearest, 20 feet; average, 46¾ feet. In the Middle States, nearest, 25 feet; average, 117 feet. In the Western States, nearest, 20 feet; average, 118 feet. Distance from privy: in New England, nearest, 15 feet; average, 28¾ feet. In the Middle States, nearest, 5 feet; average, 33 feet. In the Western States, nearest, 30 feet; average, 66½ feet.

9. Barn joined to house: In New England, 55%; elsewhere, none.

10. Privy joined to house: In New England, 55%; in the Middle States, 14%; in the Western States, 19%. Without vault or ventilating shaft: in New England, 72%; in the Middle States, 14%; in the Western States, 39%. Nine-tenths of all in bad condition.

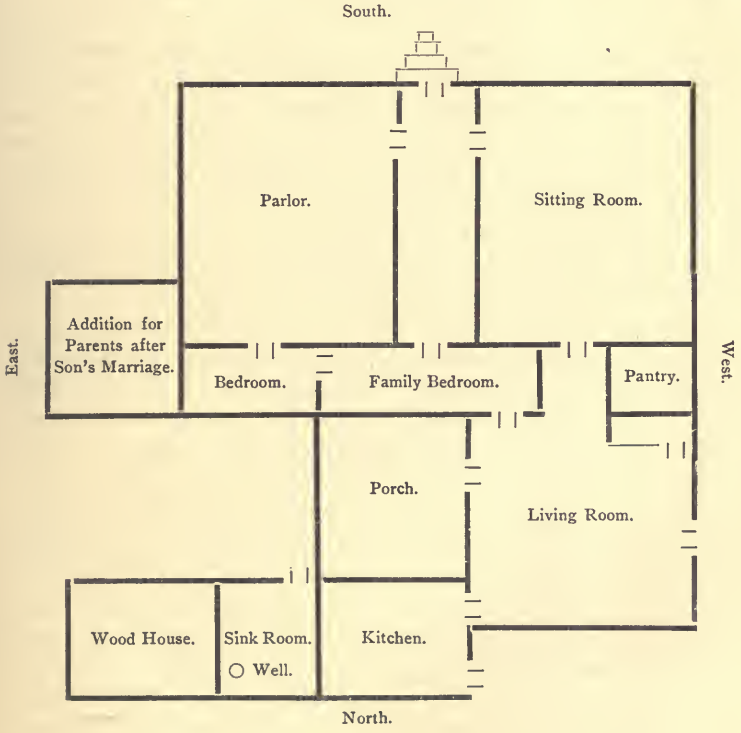
11. Slops thrown from back door: In New England, 77%; in the Middle States, 40%; in the Western States, 26%.

12. Diseases: Of diseases noted, rheumatism ranks first in frequency; lung affections, especially phthisis, second; diphtheria, third; typhoid fever, fourth; bowel troubles, fifth. Of the houses visited in New England, a history of rheumatism was found in 70%; in the Middle States, 81%; in the Western States, 80%. Ditto, giving history of lung affections: in New England, 93%; in the Middle States, 76%; in the Western States, 65%. Ditto,

giving history of diphtheria: in New England, 93%; in the Middle States, 70%; in the Western States, 15%. Ditto, giving history of typhoid fever: in New England, 55%; in the Middle States, 9%; in the Western States, 27%. Ditto, giving history of bowel affections: in New England, 50%; in the Middle States, 33%; in the Western States, 4%.

A great deal of what was probably malaria was reported under various names. Nervous troubles and general break-downs gave an average percentage of 32. Melancholia, cancer, and diseases of heart, kidneys, and throat also held a prominent place. In nearly every case, the condition of the premises was a positive index to the health history of the occupants.

CHART NO. I.



In the arrangement of the homes, probably the most faulty conditions of all were found in connection with the sleeping apartments. To have at least one bedroom upon the first floor is the

almost universal rule. In the majority of cases, I found this room small, with its one window opening only from the bottom; the shade drawn down at least two-thirds of its length, and blinds closed, where there were blinds. In more than half, this one window opened upon the back premises, with their contamination of kitchen waste and ill-kept out-buildings. This room is occupied by the father and mother; and, when there are young children, one or two of them share it with the parents. In many houses I found two bedrooms upon the first floor, and three or even four were sometimes found thus located.

Chart No. I. shows a somewhat unique plan of a family bedroom. The sole window of this room is a north one, opening upon a piazza entirely closed in upon three sides, and shut off upon the fourth by the projecting portions of the building. As a whole, the house has no cellar under the main portion, but an unventilated space of three feet between the floor and ground. The living-room has a north-west exposure. The south rooms are never opened except upon rare occasions. The bed-chambers assigned to the use of the family face north and west, the south rooms here also being reserved for company. Shade trees grow in great profusion all about the house.

The first occupants of this house were a father and mother, both healthy, and ten children. Eight of the latter developed lung disease, of which they died in middle or past middle life.

The son who remained in the old homestead married a healthy woman, member of a healthy, long-lived family. To this couple were born six children, four of whom died in early adult life of pulmonary consumption. Of the two now living, one barely escaped consumption in youth: the other is not strong.

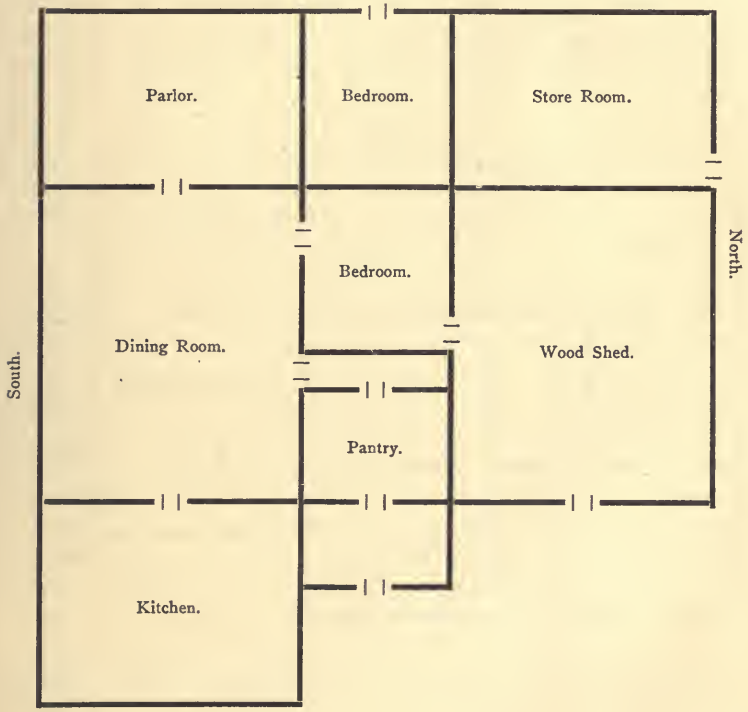
In Chart No. II., we have a somewhat different, but quite as bad, family bedroom. A favoring circumstance in this house is that the living-rooms are upon the south side. The scrap of the family history which could be obtained said that the father enjoyed average health, one son was a sufferer from lung trouble, the mother was afflicted with rheumatism first, then lung trouble developed, and she was apparently at death's door, when the family made a change of residence. After this, though so crippled from rheumatism that one hand was entirely useless, and though she continued to cough, she survived seven years.

No. III. shows two bedrooms on the first floor, these being the family bedrooms of two separate families, one of them occupying

the north half of the remainder of the house, the other the south half.

The family living upon the north side consisted of three members,—father, mother, and daughter. The father died in the prime of life, of cancer, it was believed; the daughter in early womanhood of consumption. A sister of the widow, who came to live with her, died not many years after of "dropsy," so it was

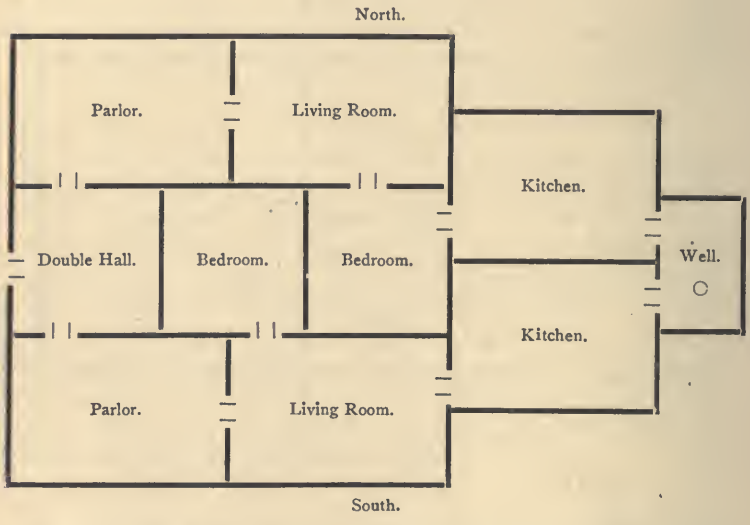
CHART NO. II.



said (the real disease was not known). The widow still survives, but is a martyr to rheumatism, being helpless a large part of the time. The family occupying the south side, also three in num-

ber, are all living; but the father is rheumatic, and the mother has long been a terrible sufferer from rheumatism, being unable to even lift her hands for weeks at a time. She also suffers from a severe chronic disease of the throat. Probably in none of these cases was the bedroom the sole source of the mischief; but, in each, it was an important factor. In only one instance did I find a bedroom the window of which could be opened from the top; and that arrangement was here rendered useless by a fly-screen, which occupied its lower part. It is needless to say that bedrooms which are not warmed in winter are seldom well aired, and are almost invariably damp and unwholesome.

CHART NO. III.



The average woman seems to be possessed of a positive mania for keeping the sunlight excluded from her house. This domestic photophobia is one of the most obdurate as well as one of the most general of maladies. The sufferers will consent to cough, to limp, to endure the torturing twinges of rheumatism, or to see their children grow up pale and peevish, rather than that the colors of the cherished carpets should be dimmed by a hated sunbeam, or that a "horrid fly," invited by such radiance, should dare to buzz within their sacred domains. Occasionally, we see a pretty bay-window invitingly thrown out; and we cannot help thinking what

a lovely place for mother's sewing-chair, a reading-desk, or, oh, horror! the children's playthings. But from a shutter drawn grudgingly a little to one side we see — what? A plaster image or a piece of pottery perched upon a spindle-legged stand, all the radiance which is permitted to enter lost upon its senseless particles. There was a substratum of reason in the so-called "blue-glass craze" of a score of years ago. It meant that pallid houselings sat in the sunshine and got well. 'Tis pity that a folly so wise should have been abandoned.

It is a sad fact that nowhere does one see women more pale and ailing and dispirited than among the well-to-do classes in the country. One of these said to me as she came limply into the room from an afternoon nap, "I am as well off as my neighbors: you'll not find a well woman in these parts." The absence of anything which indicated an out-of-door life for these women was especially noticeable. They are too tired to walk after their morning's duties, and the long dusty roads are uninviting at best. So, if they go from home, they ride,— usually in a covered vehicle: they never ride on horseback; they do nothing which would tend to make them truly vigorous. Lawn and garden invite them in vain. To sew or read or have the family tea out of doors is something never thought of. They work hard as long as they are able: they make little effort to vary the monotony which preys upon them, sapping health and strength; and thousands of them go to the grave or the madhouse in what should be the prime of their womanhood. Pale daughters and narrow-chested sons are the natural progeny of such mothers, and we find ourselves exclaiming: "Where are the stalwart lads and blooming lasses, the hale old men and vigorous matrons, whom we have been wont to picture at these country firesides? Are they but the creations of an imaginative brain or the resurrected shapes of a generation long ago turned to dust?" Vainly we look for them. As well look for the ruddy glow of the old-time fireside, which has, alas! been supplanted by a breath-scorching sheet-iron stove.

The contamination both to air and water arising from out-buildings improperly located, badly constructed, and imperfectly cared for, and from carelessness in the disposal of kitchen waste, is the means of introducing into the system substances of the most deleterious, often the most virulent and deadly, nature. Of the large number of cases reported, a few will suffice for illustration:

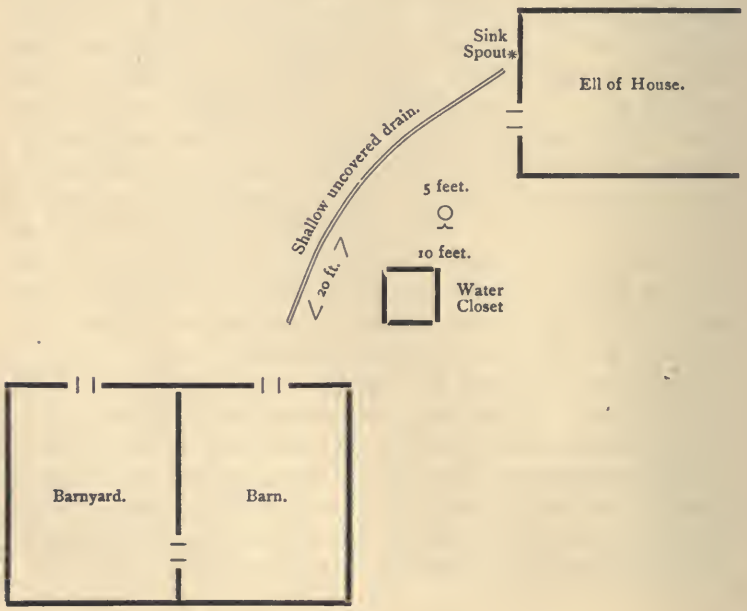
Dr. Harris, of New Hampshire, sends two cases.

No. I. "Having been called to a case of typhoid fever, an inspection of the premises revealed the following: Privy attached to ell of dwelling, no vault or ventilating shaft. All kitchen waste thrown from back door. Water obtained from a spring but a few feet away. Cellar of house very damp. Family living-rooms and three sleeping-rooms all on first floor and with north windows only. Three members of the family had the fever. All suffered from typhoidal symptoms. One death resulted. Two years later, all the family, consisting of eleven members, had diphtheria, one death also resulting."

No. II. "Premises nearly as above except that here the house and barn were contiguous and the water was obtained from a well fifteen feet distant, having no protection against surface water, and with the slope from house, out-buildings, and highway toward the well. The family had lived here but a short time, and yet long enough for four cases of malignant typhoid fever (two of which proved fatal), and several cases of severe rheumatism, to have developed among its members."

Dr. L. M. Palmer, of Massachusetts, sends the following. The chart shows the relative positions of the well and other accessories of the premises.

CHART NO. IV.



"The sink water ran within five feet of the well, on the surface of the ground. The privy, with surface disposal of waste, was within ten feet upon the other side. The barn and large barnyard were twenty feet distant. The slope of the land from all these was toward the well. By the way, this was a milk farm,— probably it would be safe to say a milk-and-water farm,— so that the public shared the benefit of these arrangements. A case of malignant diphtheria developed here, and was followed in rapid succession by six others. Three of the patients died; four recovered. When told that the water from the well was probably the direct source of the trouble, the owner turned contemptuously away, drank of the water, smacked his lips, and said, "No better water than this can be found anywhere." He then accused the doctor of trying to excuse his "want of skill" by maligning the premises. Later some of the water was sent to Professor Hill, of Harvard, who found it highly charged with organic matter, and pronounced it dangerous. Dr. Palmer says, "A frequent unhygienic condition in this region is for the pump to be placed in the sink, and for the sink-spout to empty upon the ground within a very few feet of the well. My experience leads me to the conclusion that the average farm-house is more unwholesome than the average village or city house"; and he piously adds, "Nothing but the loving kindness and forbearance of an overruling Providence permits the inmates to live out half their days,"— surely, a more Christian and sensible doctrine than the one which charges this same merciful Deity with the wholesale destruction and misery which result from ignorance and disregard of sanitary law.

The very harmonious relations which existed between rheumatism and damp cellars is worthy of notice. Many of the cellars were rendered additionally unwholesome from the presence of decaying vegetables and various accumulations, the removal of which had been neglected, and, again, by the roof water being allowed to discharge where it penetrated the cellar wall, rendering it damp and mouldy.

The degree of knowledge with regard to sanitary matters which was found to prevail may be inferred from the data given. It was not uncommon to find people of considerable intelligence unacquainted with even the crudest principles of hygiene. Perhaps the most extreme instances were found in the two housewives, one of whom poured her kitchen waste through a square hole cut for the purpose in the floor, and the other who caused her drain-spout to

be turned so as to discharge its contents under the kitchen. Both these women were regarded as remarkably *neat* housewives.

I think I am safe in asserting that in the West I found more interest in, and consequently a somewhat better acquaintance with, sanitary subjects than in the same grade of persons in the East. In a pretty Western village, I was told that a regulation had been in force for some time which limited the shade trees both as to numbers and nearness to dwellings, and also that no branches were allowed to grow below a prescribed distance from the ground. Great improvement in the health of a once malarious district had been the result. I could mention more than one New England town which would be benefited by such an ordinance; and how many of our delightful places along the Hudson, think you, might find such a decree the greatest of boons! or who shall say to what extent we might thus be able to exorcise that hateful scourge, malaria, which more and more finds a lurking-place in the shaded recesses of our homes, filling our veins alternately with ice and fire, and making the grasshopper to seem a burden?

The proportion of unwholesome bedrooms, shut-up parlors, outhouses attached to dwellings, and back-yard abominations was somewhat larger in New England than elsewhere. The house of which the poet sings, the artist raves, and which the novelist weaves into his romances, is, in real life, the most unhygienic of abodes. Pass beyond the "noble old elms, the vine-covered porches, and the mossy door-stone," and fill in the further details of damp cellar, mouldy little bedrooms, and the complicated horrors which go to make up the rear premises, and the picture seems to have lost its attractiveness. Not long ago I had occasion to step into just such a dwelling, and this was what presented itself to enliven the background of the picture already upon the easel: a woman with a moth-patched complexion, who groaned audibly at every step,—poor thing, her rheumatism had come back, she said;—a second woman lying upon a lounge, pale as Banquo's ghost, apparently just crawling back to life after a severe illness; a third enormously fleshy woman, who sat wheezing in a rocking-chair; and a limp young girl, with a face like curd, who brought me a glass of water.

Contrast this "Poet's Corner" with the ideal home of the sanitarian, the home which should and so easily could be. The house standing upon dry and, if need be, well-drained soil, over a clean, dry, well-cemented cellar; turned at a slight angle, so that there shall be no absolutely north rooms; family bedrooms large, on

second floor, and these, as well as living-rooms, on the sunniest side of the house; all windows opening from top as well as bottom; shutters closed or shades drawn only in the hottest days. A cheery fireplace in every room, if possible; if not possible, then one in the large family bedroom and in the living-room, to brighten the winter evenings and to aid in ventilation (no fireboards nor other devices to cover these in warm weather). A bathroom, with hot and cold water supply. Shade trees in moderate numbers, and standing at a respectful distance from the house. Well, out of doors, deep, secured against surface water. Out-buildings standing widely apart from house and well, properly constructed and kept scrupulously clean. Roof water all conveyed into a cistern or carried a suitable distance from the house. Laundry and larger part of kitchen waste utilized by being poured upon the garden or carried well away by a good drain.*

A bright young wife once said of her new house, "It has an upstairs, a downstairs and an out-doors to it." Now, this out-doors part is just what every house needs, in order to be a perfect dwelling-place; but, as with the proverb of the unshod wife of the shoemaker, so no house is so conspicuously destitute of this out-of-doors space as your true farm-house. Our sanitary home must therefore have for summer, first, a temporary awning to serve instead of a roofed piazza (which latter shuts out the sun from the rooms behind it all the year round); then hammocks hung here and there, as convenience will permit; a tent or two on the lawn, where the children can play or take naps, and where mother can bring her sewing or father his newspaper; a few rustic seats here and there in the shady nooks; and, best of all, a table under a tree or tent, where tea can be served in fine weather. Such a dwelling-place is neither chimerical nor extravagant. Indeed, it would be in most cases a paying investment, returning its cost ten times over in health and happiness. By it the musty and worm-eaten dreariness of the picturesque old house is thrown farther in the shade than by its own dismal surroundings. Such a sanitary abode I found in a bright little Western town, and to enliven *this* picture were a mother and five daughters, all absolutely well. Think of it! Six rosy, healthy, happy women all in one house. I could hardly believe it; but no amount of cross-questioning revealed a flaw in the evidence. The men of the household were absent, but I was assured that they also were in excellent health.

* See Prof. Victor C. Vaughan's article, entitled "Building a Home."

Granting that most country homes are defective in their sanitary arrangements, and that much mischief is the result, where and to whom are we to look for the remedy? How prevent a repetition of old blunders in the location and erection of new homes, how improve or eradicate the evils existing in homes already established, how insure the more rapid dissemination of that knowledge of sanitation which shall help every man to be both his own and his brother's keeper?

That even an architect cannot always be trusted in these matters can be proved by the fact that a fine new hospital, not many miles from here, is so constructed that every one of its rooms or wards for the sick has only a northern exposure; and thus no bed-ridden patient can ever, within those walls, enjoy the gladdening and healing influence of a sunbeam. Also, I have seen a house, built in connection with a great State enterprise, where the kitchen drain, composed of loose tiles, was laid within two feet of the cistern (there was no well on the place) on one side, and a privy, with a shallow box for a vault, placed twelve feet distant upon the other. If we see such faults as these in buildings planned by those who should be authorities in such matters, what must we expect from the haphazard manner in which most country houses are planned and erected? A sanitary engineer is, of course, a being quite unknown in these localities.

Clearly, the one person possessing the requisite scientific knowledge, and who can be easily reached, is the physician; and, fortunately, no place is so remote and no household so wretched as to be beyond the reach of his advice and assistance. Indeed, the man who is going to build a house should first send for the doctor. With an attack of diphtheria upon him, he would be more excusable, did he neglect this duty. And woe betide the medical man or woman who is not prepared to render sound and efficient advice in a matter so important both to client and community! Already in some of the best medical colleges, both for men and women, chairs of preventive medicine are being established; and soon we hope that no respectably equipped institution of the kind will be without such a department. No doctor who is not alive to his finger-tips to every question which involves the health of the community of which he, by the very nature of his profession, is the self-constituted guardian, is deserving either of confidence or support.

We are told that, if the physician were to set about righting all the sources of illness which he sees, he would soon reduce himself

to a state of poverty and idleness, and consequently he holds himself in an attitude of indifference toward these dangers. This view is as untrue as it is ungenerous and repulsive. The hollow cough which sounds the death-knell of a trusting patient, a little child pinched and wan with suffering, a strong man stricken down prostrate and helpless with disease, are things at which no man rejoices, even though a fee be to him the price of the suffering which he strives to alleviate. There is no profession which develops unselfishness, patience, and heroism as does that of medicine; and there is no field of its practice which so calls out the above qualities as that which is furnished by the country. And yet the *seeming* indifference, the neglect to guard and warn and instruct, which is the negative quality in the ministrations of many of the medical profession, has often surprised and puzzled me.

Not long since, in a house in New England, there occurred within the space of three weeks one case of severe inflammatory rheumatism, three of acute enteritis, and one of acute pleurisy, all in adults (the children had died long ago). Here the family doctor came and went, carefully attentive, noting every symptom of his patients and prescribing cautiously and wisely. Yet, from first to last, he apparently took no note of the fact that at the rear of the house, beginning at the very door-step, was a perfect frog-pond, the result of the almost constant pouring and dashing of every variety of unclean waters out among the rank weeds which flourished there. And, further, he apparently failed to note that each person attacked as above stated had slept in a room the windows of which opened upon this filthy pool. I regret to add that at this house summer boarders were received; and soon after these occurrences it was literally swarming with the men, women, and children who had gone there in the quest of health.

One more,— an old farm-house. "Unhealthy" seems to be written all over it, from musty cellar, tree, vine, veranda, and blind shaded rooms, to the inevitable abominations behind. The history harmonizes perfectly with the suggestions of the place,— a history of more than forty years of affliction to two people, now old, the husband almost an imbecile from some kind of nervous affection, the wife crippled by rheumatism and enfeebled by bodily and mental suffering. The children had died many years ago, "of malignant sore throat," so the mother said; and, as she spoke of that terrible time, her lips quivered, the hard, stiff old hands were raised to the worn and wrinkled face, and the tears trickled through the gnarled

fingers, as she wept for the children who had lain full thirty years in their graves. The place, she said, had always been beset by illness. Typhoid, bilious and malarial fever, diphtheria, and rheumatism had come again and again. Bronchitis, nervous prostration, chronic rheumatism, imbecility, had come to remain. As I turned from the tear-stained face and stepped out into the sweet air and sunshine, this ghastly chapter of needless misery and loss came back ever with the question, "Who was to blame?" Here was a house unhygienic in every detail. Here disease had flourished like some poison weed in a noisome bog; and here the physician had come to comfort the sick, and stand helpless and sorrowful by the bedside of the dying. He was probably the only man of science who had been wont to cross the threshold, and yet he had never once lifted his voice to warn or advise these unfortunate people against the frightful conditions by which they had surrounded themselves.

That to go into your neighbor's house and find fault with his cellar, his drain, his well, his barn, or the cherished customs of his good wife, is not a pleasant duty, no one will deny; but, with tact and honesty of purpose, it can be safely done, as hosts of earnest physicians can testify. That doctors should stand by each other in these matters is what is most needed. Then none would lack the courage to condemn and denounce whatever is inimical to health in personal habits, households, or communities; and we believe that, when educated physicians unanimously recognize and live up to their responsibility in these things, the terrible occurrences which now blacken the histories of so many homes will have become things impossible in the near future for which we to-day are building.

DISCUSSION OF DR. HALL'S PAPER.

Dr. Louise Fiske Bryson, of New York.— I think Dr. Hall's paper illustrates the old proverb, "Where the sunshine does not come, the doctor does." These close houses are full of death. When a house is shut up, everything about it is dead,— the wood, the paint, the wool in the carpet; and possibly all this dead matter has something to do with the death of its occupants. There are the same disadvantages in the city, so far as sunlight and ventilation are concerned. If doctors could impress upon people that it is not in good "form" to have houses shut up, I think it would have more effect than putting it on a scientific basis. People are ready to be moral and hygienic sooner for that reason than for any other.

Rev. Dr. H. L. WAYLAND.— (On being invited to speak as "Doctor" Wayland.) I belong to the class of doctors who do not doctor. I am called upon to exercise my duties after these bad sanitary conditions have had their legitimate effect. I suppose that almost any of us who have visited Northern country houses can testify from observation and experience to the justness of what has been said by Dr. Hall. New England people are said to have become addicted to frugality. I think they forget that it has pleased the Lord to endow us with twenty-five miles of air, with his wonted largeness of conception. We sometimes act as if we felt that, if we filled our lungs or opened wide the windows, we should exhaust this air; but I think we may trust entirely in the resources of Providence, and breathe all we want to. You remember the story of the school teacher who boarded round. In one home, as her time fortunately approached its close, the head of the family said to her: "You were to be here only three and a half days, Miss Jones. That would give you only half a dinner; but, as we don't want to be mean about it, you might eat *about* as much as you generally do." I think people limit themselves in the matter of breathing in just that way. If we breathe very nearly as much as our lungs will hold, if we open our windows very nearly as wide as they ought to be opened, we may appear on the right side of the census for a longer period perhaps. Whether talking about this matter will do any good, I don't know. Perhaps the only way is for people to die: then they will come to a sense of their situation. I don't know what to do. It is a curious thing that people will exhibit such a fine sample of the resistance of the human mind: facts and figures seem to have no weight with them. You can tell them all these things, but it doesn't do any good. I hope Mr. Sanborn will put all these charts into the report, so that, if people will persist in going from the farm-houses to the crematory, it shall no longer be our fault.

Perhaps I may add that those who dwell in country houses are not the only sinners, or above all others. A mitigated form of this iniquity exists elsewhere. In Philadelphia, for instance, we drain into the Fairmount River, and then drink this diluted sewage. A statement has been published recently by a sanitary expert, showing that the water of the Fairmount River, which is carried over the city, contains now and then traces of the oil of cedar, which proceeds from the coffins that have contained the remains of our ancestors who were buried in Laurel Hill Cemetery. So you see that the pleasure of this intimate acquaintance or association with our ancestors is not confined to the people who live in the country. Still, I suppose, on the whole, the average health condition of our city homes is better than of those in the country. I do not know what we can do to get this valuable paper read. I wish the sixty million people of the United States belonged to this Association, so that they could all read it. The heads of the people are *so* dense! though there is one woman on record — Jael, the

wife of Heber, the Kenite — who was able to get something into the head of one of her contemporaries.

Mrs. DALL.— It is forty years since I made up my mind that the conditions of life in great cities were better than in country towns. I thought then what I think now, and what I have for the first time seen attention directed to in this paper,— that overshading country homes has a great deal to do with sickness. I have just come from a three months' sojourn in Petersham (Mass.), which is almost as high as Princeton, where Mount Wachusett is. People from Boston and New York are going there in large numbers, buying the old farm-houses and fitting them up. But I have hardly found one that was not so shaded that I would not engage a room to live in. In the one where I finally found a home, I could only get a glimpse of heaven from the second story: it was impossible to get a view of the sunset or of the hills. A passion for planting trees close to the house seems to have existed there. I spoke to many people about it, but I could not convince any one that it was unhealthy. John Fiske has his abode there, and it is as shaded as any house in town. Three trees near one house were cut down on account of borers,— not for the sake of health, though every member of the family is ill. A lamentation for these trees went up all over the town. Every one said it would spoil that house. Petersham is a beautiful place; but it has been unhealthy all this summer,— very damp, with superficial drainage and many unwholesome wells in the town. If we could only convince people of the advantage it would be not to shut out the light and air by trees, we should accomplish a great work.

Mr. SANBORN.— I need scarcely call attention to the fact that sanitary science is in its infancy, even among physicians. Any physician who has been in practice forty years will remember the time when the ordinary rules for sanitation were almost unknown to the medical profession. Among the older practitioners there were few who understood the simplest methods of sanitation in regard to dwellings. A very wise man, sometimes given to jokes,— Sydney Smith,— used to speak of things happening "before the invention of common sense"; and that was not a very distant period. He did not mean to go back more than fifty years. Common sense in these matters does not go back more than fifty years. You must not wonder, therefore, when the men specially trained to preserve the health of the community were ignorant, that the rest of the community were also ignorant. I had the privilege of looking over Dr. Hall's paper in advance of her reading. I was struck by the melancholy facts which she has collected, and I asked what part of New England she had visited. She said Vermont, Maine, and New Hampshire. So far as Massachusetts is concerned, I think the picture would be overdrawn. My official business there consists largely in visiting homes in country towns where dependants of the State live. I go into houses of all kinds, and I seldom find the extreme conditions that have been stated so graphically by Dr. Hall. I find

few houses where the sunlight is excluded. The bedrooms are ordinarily of good size, and there is usually access to air and light through the windows. I suppose the spread of sanitary truth through the newspapers has opened the blinds and cut down the trees in Massachusetts, and the same causes will operate hereafter. The public opinion of the women, who regulate this matter, will be changed by considerations of health and fashion; and these particular evils will in time be removed.

Our ancestors lived in houses which were not so air-tight as our modern houses are. I have even slept in old houses where the snow sifted down through the roof on the bed. That was to the advantage of the sleepers; and there were other corrections of the unsanitary conditions.

Mr. A. S. Pease, Syracuse.— Something may be said in extenuation of the customs of the country. My residence there for twenty years has enabled me to make close observations of country homes. The modern house is better constructed than the old. The construction of sleeping-rooms in old times was governed by prudential motives. Wood was burned instead of coal then, and the sleeping-rooms were put where the family could be most comfortable. Such apartments are now larger and better ventilated. The farmer, after all, gets into his lungs about as much fresh air as the merchant in the city, taking the twenty-four hours together. If we look over the whole field, we shall find the hygienic condition of the farmer is about on a par with the residents of the city. But people should learn how to live all over their houses, as farmers do not. They live in the kitchen and in their bedrooms. When they learn to live in their parlors, they will keep their houses open more. We may say that a man's body is much like the house he lives in, and it is important that every man should learn to live all over his body, and in all the chambers of his mind.

5. THE WORKING-WOMEN OF NEW YORK: THEIR HEALTH AND OCCUPATIONS.

READ BY ELIZABETH STOW BROWN, M.D., OF NEW YORK.

Working-women as a class and as a social problem belong to recent times. They date from the beginning of the era of emigration, when such large proportions of the men of older communities were moved to leave their crowded States, and settle in new lands. Such movements included so small a part of the women that in the home countries these gradually became the more numerous sex. In the more progressive of the countries of Europe and in the older parts of America the female population considerably exceeds the male; and a large proportion of this excess are not housewives, but must work independently for their means of subsistence. Great wars, of course, have increased this disproportion, and have left their effect on several generations. In Great Britain and Ireland, the disproportion between the sexes is more marked than in any other nation of Europe. This is not surprising, since the United Kingdom has always been foremost in emigration. We may perhaps imagine that in later generations an equal distribution of the sexes will re-establish itself, since the time will come when emigration will stop by reason of the limits of the habitable globe. Yet it has been, and probably always will be, that the men will be rovers, more or less; that the women, timid in seeking new openings, will cling to their first implantation.

The number of women in Great Britain and Ireland who admit following some specific calling is 4,544,174, a certain proportion of whom, however, are married women. This is nearly equal to the entire population of Ireland, and greater than the entire population of Scotland and Wales put together,— a nation within a nation. In the United States, as a whole, males and females are nearly equal in numbers; but in the older parts of the country and in the great cities and large manufacturing towns we have again a large excess of women striving painfully, many of them, for the means of livelihood. In America we have no such wide-spread struggle of women for work as in Great Britain. In our great

cities alone, such as New York, can be found the state of the problem in its full development; and facts true for New York will be in the main true for other American cities.

Working-women may be defined as those who work for wages. Their earnings are the measure of their skill, intelligence, and previous preparation for their work. This paper will deal strictly with that division of working-women who are the lowest wage-earners, those in the manufacturing industries, excluding domestics and women in trade.

There are stated to be fifty thousand more women than men in the city of New York, the whole number of working-women being nearly two hundred thousand. The lack of employment among men has forced into the ranks wives, mothers, and daughters. The number of working-women is significant when taken into conjunction with the fact that New York has, among cities, the largest percentage of habitual drunkards and the largest number of liquor saloons to the mile. Of these two hundred thousand women, many are by turns unemployed, praying and suffering for work to do.

Women in New York, according to the census of 1880, are classed in 114 manufacturing industries, excluding domestics and women in trade. We have to consider the work of the women in these 114 industries, and to analyze with limited detail, both from a hygienic and an economic point of view, the most crowded branches. We have also to consider the health of these workers, what is its absolute state, and whether the home hygiene or the industrial hygiene is at fault; and, finally, what the philanthropist suggests to better the condition of that class of society under consideration.

The first study of the hygiene of industries was by Ramazzini, of Padua, in 1713. The interest then first aroused has been steadily increasing in all civilized lands, until to-day a large literature exists (at least on the continent of Europe). Legislation regulates certain abuses of former times, ingenious inventions obviate many, and large-hearted philanthropy is pondering the rest. It must be remembered, in treating of the hygiene of women's work, that they as workers are not strictly comparable with men. Woman's more delicate constitution, her inferior power of sustained muscular effort, greater tendency to "worry," and greater susceptibility to poisons are facts against the sex.

The observations of this paper are founded upon study of women in New York, observed in their working places, in the hospitals

and dispensaries, in their homes, and in the working-girls' clubs, where they are gathered for recreation and instruction.

Of the one hundred and fourteen manufacturing industries followed by women in New York, the workers on men's clothing claim the largest number, including shirt-makers and tailoresses. Workers on women's clothing come next, making a total of women who sew of about one-third of the two hundred thousand. Then follow in lesser proportions the tobacco-workers, the silk-workers, and workers on hats and caps; and, in smaller numbers still, the workers, in factory or shop or home, on laces, textiles, fans, boxes, boots and shoes, book-binding, artificial flowers, wall paper, feathers, cotton, flax, jute, wool, and matches. This list includes the principal occupations followed by the lower classes of working-women,— those industries only whose votaries are numbered by thousands.

Occupations are injurious to the worker by reason of the position or restraint required, by reason of the exercise of some part of the body to the disuse of the rest; and they are injurious because of harmful conditions of the surrounding medium, as excessive heat, moisture, exposure, or deleterious emanations in dust or in gaseous form. It is unfair to judge of the hygiene of an occupation from a physical examination of a woman who follows it. It must be known what the home and personal life are outside the work, and with what discount of strength the woman began her task.

It will be possible to give but a brief hygienic analysis of the most crowded of these industries. The sewing-women in New York include the makers of men's and women's garments in every grade and part. The needle, in all civilized countries, occupies more women than any other one industry. Sewing in some form is the staple industry of English and Irish women, employing forty out of every hundred. The proportion is less in this country. Nevertheless, the "Song of the Shirt" was never sung with deeper anguish than to-day in our opulent and philanthropic city. Sewing will probably always be the largest industry for women. The fact that the remuneration is so tragically small means that the demand for the work to do is pitiably great. Even in the lowest grade of sewing, no worker steps out that there are not a score ready to replace her. Sewing of the rude order done by the majority of the needle-women of New York is not skilled labor. It is the work of women who have never had technical training

of any sort, who have turned to sewing as the one thing a woman can always do if she can get it to do, who cling to it as the only alternative to utter starvation. The occupation of sewing, which involves a steady application from eight to twelve hours a day, may affect the health of its follower from the strain on the eyes, from the in-door life, from constrained attitude and constant application, sometimes from poison in the material worked upon, and from the use of the sewing-machine. Occasionally, the cry arises anew, both among the laity and the medical profession, of the curse of the sewing-machine, to which much of the ill health of sewing-women is attributed. A careful study of the lives and physical disorders of sewing-machine operators will, I think, justify the conclusion that a moderate use of the sewing-machine does not injure the average woman, but that no woman can "operate" eight or ten hours a day by foot-power without harm.

The hygiene of the sewing-machine has received much attention, and the weight of medical authority coincides with the view I have stated. In France, England, and the United States, for a generation, sanitarians have been industriously trying to discover whether Elias Howe was a benefactor of his race or not. Layet believed that, after a certain habituation to the machine was established, then anæmia, dyspeptic and nervous troubles, always supervened. He noted a marked enfeeblement of the lower limbs, and was "not far from believing in atrophic change in certain regions of the spinal cord." Decaisne examined six hundred and sixty-one sewing-machine operators, and concluded that within certain limits, according to the strength of the individual, the sewing-machine was not attended with greater injury to health than working with the needle. Dr. Nichols, a few years ago, made a report on the subject to the Massachusetts State Board of Health, which was founded on the examination of a large number of women. He would limit the safe use of the sewing-machine to three or four hours a day for a woman of average strength. He found operators liable to indigestion,— attributable to impure air, the sedentary life, and want of open-air exercise,— muscular pains in the lower limbs, general debility, and, very rarely, peculiar nervous effects. The working of the foot-treadle has, of course, been the source of the alleged injury. The unhealthful tendencies of the sewing-machine are greatly diminished in shops by the substitution of some other motive power.

Sewing-women are a very large class of hospital and dispensary

patients, and ample opportunities are afforded on all sides to observe them. A steady-working sewer is only rarely sound ; but the degree of her lowered vitality and strength will be, as in many of the classes that I shall speak of, proportioned to her food, her home, her wages. The suffering among needle-women has greatly increased within the last few years. The rate of pay has been reduced through the system of "sweaters," or middle-men, by competition with country workers, by contract work in reformatories, and by the underbidding of the degraded Russians, Poles, and Italians, who are landing in such hordes upon our shores. Who could read without indignation the story of the working-girls, who told the Congressional Immigration Committee what they had suffered because of imported labor?

The tobacco-workers are next to the sewing-women in numbers in New York. Their work should be properly classed later, among the poisonous industries; for here we have a toxic element — the nicotine and ammonia — to be inhaled and absorbed. Great difference of opinion has existed in regard to the ultimate deleterious effects upon health of working upon tobacco. Ramazzini, Heurtaux, and Kostial, in Italy, France, and Germany, respectively, have been pessimistic in their view; while Duchâtelet, Ygonin, Berretti, and Chevallier claim that tobacco-workers are as healthy and long-lived as any other workers, or more so. A certain amount of habituation, a mild nicotine poisoning, has to be endured, having its analogue perhaps in "learning to smoke." All agree that tobacco harms women more than men. Kostial records that, of 100 female cigar-makers, twelve to sixteen years old, 72 fell sick in six months after beginning the work. A great deal of cigar-making and cigarette-making is carried on in tenement houses. A few years ago, an attempt was made by the trades-unions to prevent this by legislation, on the pretended ground that the combination of tobacco and tenement house was a most deadly one. The law was passed, but was soon discovered to be unconstitutional. The agitation of the subject led Dr. Tracy, of the New York Board of Health, to an investigation. He examined 214 families, taken without selection, and set them against a number of factories. To his surprise, he found that, in respect to air, light, ventilation, food, cleanliness, and material emanations, the home-workers in nearly all cases had the advantage. This is an exception to the usual contrast between home and factory workers, where the advantage is usually on the side of the factory, as has been shown so conclu-

sively by your honored President, Mr. Carroll D. Wright. Anæmia of a rapidly advancing kind is the misfortune of these girls. My experience with female workers in tobacco has profoundly impressed me with its ill effects. I have found these women almost invariably pallid, anæmic, passing quickly to a stage of grave functional disorders. Of a large number examined at working-girls' clubs, where they had entered without selection, I found scarcely a sound one who had worked six months. They form a considerable proportion of dispensary patients. Home hygiene will do much to assist the worker in her constitutional resistance to nicotine, but, I believe, cannot entirely counteract its toxic effects.

The city does not afford examples of the largest factory systems, yet still in New York we can find a small army of factory girls. We are indebted to your esteemed President for his study of the Factory System in this country and abroad, and for his widely accepted conclusion that it is home and personal hygiene, and not the factory, that tells upon the operatives. Mr. Wright shows how, conditions in the factories being equal, the health of the operatives varies exactly as their home surroundings. Factories have to some extent been regulated by legislation; but it has been so well understood by manufacturers that it is policy on their part to do all possible for their employees' health that we generally find the large places with good hygienic conditions.

The dusty industries and those having to do with poisons are most important for our consideration. The typical dusty factories where women are employed are those of cotton, wool, hemp, flax, and silk. The types of the poisonous industries other than tobacco are the making of hats and caps, of artificial flowers, wall-papers, and matches. The dusty industries work their harm both by inhalation of dust and by its external irritation. Machinery is doing away with much of the waste that formerly was cast into the air. In this country, much greater security is provided for operatives than in Europe; and "cotton consumption," for example, is here almost unknown.

Let us take up the principal dusty industries in a very brief review. In factories for cotton, flax, and jute, the dust is composed of silicious particles, fibres of the different materials, and woody fibres. Cotton factories, which formerly were the most harmful, are now, from improved machinery which checks dust, comparatively innocuous. Flax-working is one of the most unhealthful of the dusty occupations. Consumption is very common. Greenhow

in England, among 107 operatives that he examined, found 79 with some bronchial trouble, and 19 had had hæmorrhages from the lungs. From the large flax factories, whose employees are about three-fourths women, I have seen a number of patients. Some of them came for other than chest troubles, but all had bronchical disorders of some degree. Working on jute is supposed to be about equally deleterious with flax; but my observation, re-enforced by the statement of a practical manufacturer interested in both industries, favors jute as less injurious than flax. The dust in the jute mill is far less, absolutely, and is of a different quality. It is coarser, and therefore cannot so seductively enter the air passages; nor is it irritating to the skin. I passed through the departments of the great jute mill of New York; and, with the windows on opposite sides, the exhausting fans at intervals in the roof, the dust in visible quantities certainly, but not stifling, I saw little to condemn. The superintendent very courteously told me that rarely did a girl stay out or leave from illness. He had women of forty or fifty who had worked at jute from childhood. Vacancies are most eagerly sought, because this is a manufacture that is steady the year round. I have had several jute-workers under observation. There was nothing in their disorders that could be attributed to their work.

Silk-workers have, in the majority of cases, a certain amount of bronchial trouble. Ribbon-making is the least harmful branch, floss-making the most so. Floss-workers are obliged to be in close rooms, and to inhale a great deal of dust. They suffer in varying degrees from eye diseases, bronchial, and skin diseases. A number of silk-workers from the great silk factory of New York have come under my observation. Except the floss-workers, the physical condition of the girls was good, unless a bronchial catarrh was present. They make high wages, and live correspondingly well. Feather-working is one of the most unfortunate of the dusty industries. Hirt says it cannot be carried on more than three years, at most, without permanent impairment of health. The air passages and eyes both suffer. A chronic inflammation of the eyes is common. The bronchitis of a dusty industry rarely fails to be present. Workers on wool make textiles and carpets. The smell in the cleaning of wool is very offensive, but there is no specially injurious element connected with its manufacture. The dust fibres are pliable, and have no irritant effect. Wool-workers make good wages, live comfortably, and enjoy fair health. I have seen none

where I could consider the disorder present as the outcome of the occupation.

It has been suggested, at various times, that workers in a dusty atmosphere should wear a protector on nose and mouth; but such a scheme has not been found practicable, nor has it met with favor from the operatives themselves. The noise of the machinery in factories, though not generally considered a point of hygienic interest, I cannot help believing is of some importance on nerves of poor nutrition, and that it is perhaps an uncounted factor in the nervous disorders of factory hands.

Occupations that have a toxic element are not so very numerous. The operative takes in the poison by the alimentary canal, by the skin, or by the respiratory passages. Scrupulous attention to cleanliness, especially of the hands, is almost sure to afford comparative safety. Inhalation of volatile poisons, it is to be hoped, will be soon done away with by improved methods of manufacture. The poisonous industries are most prominently represented by the making of artificial flowers and wall-papers, which involves the use of arsenic; the manufacture of hats and caps, where mercury is used; and match-making, which necessitates phosphorus. In the arsenical manufactures, a mild form of chronic poisoning is not rare, and the skin lesions around the fingers are quite commonly seen. Mercurial poisoning in hat-makers is rather common, as women are specially susceptible to mercury. Phosphorus poisoning among match-makers occasionally shows itself in a necrosed jawbone, if a decayed tooth has been present.

In factories there is generally adopted a system of promotion which admits of a hand who has ability working up to the higher wages which skill and experience demand. Manufacturers, moreover, have found that this system gives them a better class of service.

This review comprises the most crowded occupations; and certain of them are seen to have an element of harm in them for the worker. Those that have been mentioned take in the majority of the class of women that we are considering; but there is yet a long list of industries which cannot here be analyzed, most of them having in them, however, little or nothing objectionable.

It is unnecessary for the purposes of this paper to go into any description of the homes and boarding-places to which these workers return or in which they toil. Vivid pictures from able pens have made the New York tenement house renowned. About

three-fourths of all working-women live in their own families, and these are generally more comfortably off than those who board in tenement houses. Many of the latter prefer what they call the "freedom" of such surroundings to the order and wholesomeness of the Young Women's Homes of the Ladies' Christian Union, where accommodations may be obtained at a nominal price. A temporary home for a small number out of work is afforded by Primrose House, and there are several other such hospitable doors open; but there is in New York no system on the large scale of Mr. Shrimpton's Homes for Working-girls in London. Tenement-house reform, the crusade of the near future, will of course help the working-women. With higher wages generally comes the desire to live better, to move to better quarters; but a squalid home and a semi-dependent or wholly dependent family too often chain the woman to her rock.

A number of the occupations which have been considered are also followed to some extent by men. When there is any suffering on the part of the worker, the men do not escape, but generally are affected to a less degree.

As to the absolute state of the health of the army of working-women of New York City, it is unquestionably, in the ranks of which I am speaking, below par, and below the average of women in the higher walks of life. This is a fact to be asserted, not on statistical evidence, but from the observation of a large number of cases subjected to the decision of individual judgment.

The occupation and the home should, in nearly all cases, divide in proportions more or less unequal the responsibility of the lowered standard of health. Neither factor alone should bear the blame; but, outside of the poisonous industries, the home and personal hygiene should bear the larger share. We cannot be unmindful of the fact that the sad combination exists, for many hundreds, of a death-bearing toil and a home that courts disease. The poisonous industries, moreover, may have their evil tendencies lessened for the individual by wholesome home surroundings. It must be remembered, also, that a comparatively harmless industry may be carried to a degree that is alarmingly injurious. The home-workers stand always in this danger. Eight or ten hours should be the limit of a woman's day's work of steady application.

Anæmia — blood-impoverishment — is the grand systemic vice of working-women. Through this may be traced the vast majority of the ills for which they seek a physician. Anæmia most largely

depends upon the deprivation of sunshine, of oxygen, and of the iron which a proper diet supplies in sufficient quantity. Dyspepsia, headaches, and other functional, if not organic, disorders are added to the burdens of these already weighted lives.

Since the working-woman's home hygiene depends largely upon her wages, and these in turn upon her skill, intelligence, and previous preparation for her work, we see how the economic side of the question of her occupation is really the side that most closely presses the question of her health. Wholesome living demands better remuneration for her toil. The wages must be raised, and the ranks of the unskilled workers thinned; not, however, by social revolution, but by a deep, far-reaching, irresistible power,— that of education. And this brings us naturally to the subject of Industrial Training for Girls, and shows how it bears upon the topic of this paper.

We Americans claim to lead the world in our public school system (though grave doubts are abroad as to whether some European countries are not ahead of us). Why could we not, with our national energy, lead the world in industrial education? We must go to France for our lessons here. To touch only the opportunities for girls, we find that France has made a very large provision for her very small surplus female population. Since the close of the Franco-Prussian war, technical and industrial schools for girls have existed. At that time, Geroult founded a cooking-school, at a cost of $75,000, for the benefit of the orphans of the war. Great success attended this school, and it soon became self-supporting. Not long after, one of the great silk manufactories opened a school for female weavers in Paris, with branch houses in St. Etienne and Lyons. The printers next started a school of typography, which graduates annually several hundreds of skilled female compositors. Many other trades now have flourishing technical schools for girls in Paris,— among them the jewellers, watch and clock makers, copper and brass workers, musical wind instrument makers, piano and harp makers. Women are also largely engaged as surgical instrument makers and as diamond-cutters, in both of which lines they have achieved success. Moreover, the Government Printing Press and the Gobelin tapestry works have been thrown open to women. The French railways have replaced signalmen and male booking clerks by women, who are paid at the same rates as men. The railway posts are generally given to widows and orphans of former railway employees.

The French system begins with the little child in the primary school, by a definite plan of manual training, through which the deft little fingers are led up to the more difficult work of the technical schools. Other countries of Europe are following in the wake of France, Germany coming next in the extent of its work.

The outlook for America is hopeful. The Industrial Educational Association has made a grand beginning in New York, and is now sending out its trained teachers to begin the manual training in connection with public instruction. The Children's Aid Society of New York supports twenty-one industrial schools, most largely attended by girls. These schools take the children from the lowest slums and train them, but not to an advanced grade of skill. Industrial schools are maintained by several Hebrew societies, by the Society of Ethical Culture, and by many church missions. Mr. John Ward Stimson, who has made the Metropolitan Museum Art Schools for Artist-artisans what they are, bringing them up from a nucleus of thirty to a membership of four hundred in five years, has offered to the public the plan of a university for artist-artisans, which shall provide ample opportunities for women. Mr. Stimson believes that American women are capable of being trained to a very high degree of technical skill. Let us hope that the public will cordially assist Mr. Stimson. Cooper Union has done a great work, and quietly goes on with its classes in drawing, both mechanical and architectural, painting, modelling, designing, and engraving. The Young Women's Christian Association has free classes in book-keeping, stenography, type-writing, retouching photo-negatives, photo-color, drawing, both mechanical and from casts, clay-modelling, applied design, and "business training." The Working Girls' Clubs or Friendly Societies, so widely distributed over New York City, are a movement looking to the elevation of this class, not only morally and socially, but industrially. The clubs are open generally only in the evening, and are under the direction of committees of ladies of position and cultivation. A club in working order has its industrial classes in dress-making, millinery, cooking, type-writing, stenography, book-keeping, and other simple branches. All plans of industrial education for girls include training for domestic service, perhaps the widest field open to them.

But industrial education will never be effective, as a great social and economic power, until it is a part of the public school system,—free as air, but as compulsory as rigid laws can make it. The

government of the United States is giving signs of awakening to this great need of the people. The Secretary of State has recently directed Mr. Schoenhof, consul at Tunstall, to prepare an exhaustive report on the "State of Technical Education in Europe." The first volume of the series is now ready,—"Technical Education in France." The author, in his introduction, compares dexterity, quickness, accuracy, power of utilizing machinery in America, with the countries of Europe, immensely to American advantage. He declares that the Americans are the "industrial geniuses of the world."

With technical skill would come to the woman worker the shorter hours of toil, the better home, the better health. If she remain single, she may attain a happy independence and secure old age; and, if she is of those who marry, how can she be otherwise than a better helpmate, wife, and mother, when her years of training and intelligent work have helped to increase her self-reliance, her self-respect, and self-control?

France has made her people a nation of workers, feeding the wants of other lands as well as her own. May not we hope to find in industrial education a long step toward the solution of the problem of American poverty?

Our prayer may wisely be: —

> "'Make no more giants, God,
> But elevate the race at once. We ask
> To put forth just our strength, our human strength.
> All starting fairly, all equipped alike,
> Gifted alike, all eagle-eyed, true-hearted,
> See if we cannot reach thy angels yet.'"

DISCUSSION OF DR. BROWN'S PAPER.

Dr. Louise Fiske Bryson, of New York.— I would like to emphasize what Dr. Brown says about home hygiene. The condition of working-women is worse than it should be, because they have so little idea of the care of their personal health. I lectured to some working-girls in New York last winter. I asked them what they did at noon; for I found that they had liberty to leave the building in which they are employed, some half an hour, others three-quarters, and some an hour and a half. I found that they elected not to leave the buildings, but sat still where they were. It seems to me that the sanitary education of the women themselves is the solution of the matter. They have very little idea of the value of sunshine and water, and the use of variety, not only in food, but in recreation, for maintaining health. They have far

more opportunity than we imagine to care for themselves. It has occurred to me that classes might be formed to teach them how to take care of themselves, and how to use the liberty their employers give them.

Dr. H. L. WAYLAND.—There ought to be more teaching of hygiene in public schools. A year ago last winter I visited the industrial schools at the North End in Boston, and in the cooking-school I saw on the wall a chart giving the proportion of nutriment in different kinds of food. It seems to me that such things should be taught in the public schools. How are we going to get time? you may ask. If we could drop this absurd plan of studying grammar, and of learning how to spell incorrectly, we should get a great deal of time for teaching children things by which the Lord means they shall live. One reason why working-women do not fare better is because they do not make their work worth more. This is true not only of sewing-women, but of the more intelligent and refined of the sex. They think they have no need to learn anything. They believe that, if necessary, they can teach, cook, or keep a boarding-house. They seem to feel that they can wake up in the morning and start out and excel at once. But men have to learn all these things. That is one reason why women's wages are so low. They should learn to make themselves masters of this or that trade. I pay the same rate of wages to men and women in the printing office, but the women do not earn so much as the men. Whether they do not give so much time to it, or do not give their minds to it, I do not know: I only know they do not earn so much. I want to thank Dr. Brown for her exceedingly valuable and practical paper.

Mr. KINGSBURY.— I would like to ask Dr. Brown whether there have been observations enough to base a theory upon, in regard to these unhealthy trades and occupations, as to their hereditary effect. Do the children of those who follow such occupations find them as deleterious as they were to their parents?

Dr. E. S. BROWN.— In regard to tobacco, a certain habituation does take place, and must, unless the health breaks down entirely. But are the children of tobacco workers better able to work on tobacco than the children of those who have not done so? I should say not, but that they would enter upon the work with distinct disadvantage. We know that tobacco does affect children very largely by inheritance. In relation to industries where mercury, arsenic, phosphorus, etc., are used, the children would be in an inferior physical condition if their parents had been seriously affected. Such children would not be so well able to cope with the poison as the children of parents who had not worked in it. In regard to dusty industries, there is a certain amount of physical resistance. The dust, after a time, does not perhaps penetrate the mucous membrane so far. Those persons of strumous type suffer more than others, and the children of such parents would be less able to resist it.

Dr. F. BONNEY.— It is well understood by those persons who

have studied these questions that any individual who is to encounter deleterious sanitary conditions of work should be well fed before entering upon them. The results to the physical system which are brought about by the digestion and assimilation of wholesome and well-prepared food go far towards protecting one from these unhealthy influences. The fact, however, is that most of the class of persons treated of by the essayist take their breakfast very hurriedly, of scanty, ill-cooked material, which fails to furnish the nutriment necessary to sustain properly either body or intellect in the wearisome labor to be performed. Purchasing in small quantities at a time, they usually pay a much higher price for their food than do others who have more means, the consequence of which is a deficiency in both quantity and quality. If any method could be devised through which proper food material could be purchased in small quantities without enhancing the cost, a great boon would be conferred upon these people.

Dr. H. D. CHAPIN, New York.— I think it is well to dwell upon the preventable side. I have treated a great many working-girls in dispensaries, and am convinced that this view is very important. Dr. Brown has spoken of the anæmia almost always present in these cases. This is due to a number of factors, and one of the principal is the poor food they get. The poor quality of their food is not, however, due so much to poverty as to ignorance. In questioning these girls about their appetites, you will find that, in almost all cases, they go to their work with no breakfast. I habitually asked them what they had eaten in the morning, and they were apt to reply that they "swallowed a cup of strong coffee" and a roll. On that they go to a long morning's work. They take a lunch with them, which consists of ham sandwich and cake; and in the middle of the day they eat that. They go home late at night. Most of the tenement-house people eat their dinner at noon, and then get a supper. These girls may perhaps get something warm at night, but it is in no sense sufficient. We have in this an easily preventable factor as a cause of this anæmic condition. If we could persuade them to eat three good meals a day, that would be a long step forward.

Prof. WAYLAND.— I wish to thank Dr. Brown for her admirable paper, and to ask her if there is not something in the appetite of these working-women which gives them a distaste for nourishing food. Do we not find that they prefer spiced and stimulating food, which is not best for them, rather than the plain, homely food which they ought to use?

Dr. BROWN.— The working-girl, from motives of economy, is apt to make her diet of bread and tea largely. This is sustaining to a certain extent; but it is well known that strong tea and coffee do take away the appetite, and create a condition of the stomach which unfits it for the digestion of the food that is best for them. I believe this habit of tea-drinking is responsible for their distaste for nourishing food.

Mrs. C. H. DALL.— It is now some years since I gave a great

deal of time to learning about the wages of working-women, and I think any one who has had experience would say that all women who work at low wages work more hours than the women who work at high wages. The nerve-prostration is greater in proportion then. Many of these women fail to get a good night's rest. They live in bad localities, and wake with no appetite. If they do not take their strong coffee, they go to their work without breakfast. It would be better for such women to take something like oatmeal or some mush preparation; but they do not know enough to do that, or else they do not know that, when they take such food, they must be patient with its digestion. I wish doctors would tell us all that we had better drink cold water. American women are too lazy about the matter of preparing food. I believe women have driven men to intemperance because they did not prepare food which was likely to tempt them. Americans are not dying of pies (as Mrs. Diaz says) half so much as for lack of something good to eat.

Dr. PECKHAM.— The working-women of New York are a standing marvel to me,— that they can dress so well and keep so well as they do. There is such an army of these workers,— 200,000 in New York alone; yet they maintain a very respectable appearance, and, taking everything into consideration, they have remarkable health. There are so many factors entering into the ill health of working-women that it is almost impossible to get a truly just estimate of the question. Some of these are heredity from intemperate parents, poor constitutions, poor surroundings, poor food, bad air. All these elements enter into the consideration of such a topic. It can be stated on general principles that the diseases which occur among these women are such as would take place in other classes of society if engaged in these occupations. As to the longevity of those so employed, I do not know whether it has been estimated for women; but it has been for men. It is my opinion that whatever is deleterious to men is deleterious to women, and the tables which have been made in regard to these occupations for men would be true in regard to women.

Dr. H. H. CURTIS.— For some years I had a large number of girls from the factories of New York in the dispensary, especially those with lung affections; and I invariably found that they showed a predilection for tea and spices. They seemed to get a nutritive stimulus from pickles, pie, and crullers that other people could not,— certainly, I could not. There was always something in their lunch-basket with spices in it,— cake with cinnamon or something similar. It has even struck me that perhaps the restless, nervous life they led called for this stimulating diet, and that they felt stronger for eating it.

Mrs. DALL.— It is not the spices, but the sugar, that their systems call for.

6. THE STRUGGLE FOR SUBSISTENCE: HOW CAN IT BE MOST EFFICIENTLY AIDED?

BY HENRY DWIGHT CHAPIN, M.D.,

PROFESSOR OF DISEASES OF CHILDREN AT THE NEW YORK POST-GRADUATE MEDICAL SCHOOL AND HOSPITAL.

(*Abstract.*)

One of the profoundest of nature's laws is the universality and necessity of a struggle for being. Included in the wide grasp of this law, we find the most humble vegetable organism and the highest animal form. However different in destiny man may be, he is here at one with lower orders of nature. The general rule makes of him no exception. Artificial and aristocratic conditions of society have hampered the normal operation of this law to a certain degree. As government comes more and more into the hands of the people, a larger number are enabled to compete successfully for the benefits of life. The hereditary principle remains good, but acting in the natural way, inasmuch as inherited ability, and not artificial privileges, will enable the descendants to succeed in the race of life. Undoubtedly, the trend of social development is toward industrial democracy, where natural inherited, together with acquired powers, must assume great force. Unfortunately, the equality that is assumed and promised in the constitution of such a State does not exist in the individuals composing it. The most such a community can do is to try to afford equal opportunities to its unequally equipped members. This is a distinct advance, as it substitutes equal for unequal opportunities. The problem of poverty thus assumes a greater importance in a democracy than in an absolute government, inasmuch as, in the former, conditions of life are less regulated by law and more by individual foresight and ability. Moreover, from this it is evident that democracy does not necessarily help poverty: it simply places its conditions to a certain extent on a different basis from absolutism. Classification of some kind there must be in society. That is the best which is based on the essential elements

of fitness and unfitness. The natural mobility of such a society is at once a strength and danger. Its strength is that it places no artificial bonds upon advance; its weakness, that pure selfishness and ambition have no check. From the latter, it follows that the accumulation of wealth and consequent power may remain in the hands of the minority; and the freest government may present relatively almost as much poverty as the most absolute. Poverty tends to be especially dangerous to social order under democratic institutions. With more freedom come greater wants and a greater sensitiveness to social disadvantages. We have in this country to face the ever difficult problem of how the necessities and comforts of subsistence may be so diffused that the largest number may profit by and enjoy them. It is at least a vantage-ground to be able to approach this question freed from many of the artificial conventionalities established by law and custom in older countries. It is the glory of democracy that questions are presented to it for final settlement that have vexed all forms of society. If it fails in their solution, the last reasonable experiment has been tried. One by one, important problems, that are often suppressed or shifted by European governments, are passed over to us for free discussion and solution. There is no country to the west for us in turn to relegate our unsolved questions. Here is the field of final settlement.

Just now we are met by a dangerous, complicating influence in the vast hordes of ignorant and degraded immigrants who are constantly being landed on our shores. This disturbs the natural equilibrium of many of the forces at work in our institutions, and notably the question of poverty and the means of subsistence.

Dr. Chapin went on to say that the character of present immigration, as shown by the recent investigations of the Congressional Committee in New York, is much worse than formerly; and he called attention particularly to the multitude of Italians, Poles, Hungarians, and Russian Jews who have lately arrived in the country. These settle chiefly in the large cities, where the struggle for subsistence is already fierce; and thus they increase the very evils they have left home to avoid. As they are also allowed to become voters, they complicate the question of self-government, as well as of labor and pauperism. Physicians have special occasion to observe the conditions of poverty, for the hospitals and dispensaries deal directly with the poorest classes; and this had impressed on Dr. Chapin the importance of physiology in dealing with social questions, such as pauperism and private charity. He dwelt on the unfortunate fecundity of the very poor, and on their

ignorance concerning the best and cheapest food, especially for young children. The filth and discomfort of the poor in cities, which can often be easily removed, and the difficult subject of housing the poor were also considered by him. The importance of keeping up a home, even in extreme poverty, was insisted on; and charitable and religious bodies were urged to give their attention to this. Manual education was recommended, and the defects of the public school system in New York were censured,— involving a great outlay of public money, with no sufficient return in educational results for the mass of the people. Dr. Chapin concluded as follows: —

It will be noticed that nothing has been said in regard to the accusations of tyranny and injustice on the part of capital in rendering difficult the struggle for subsistence among the poor. Doubtless much that is said by labor agitators on this subject is true. A large capital, selfishly used to control the sources of wealth, and force the price of necessary articles too high and the compensation for labor too low, will greatly enhance the difficulty of gaining subsistence for many people. The question of a right form of restraint to exercise upon the wealth and power enjoyed by individuals and corporations, without at the same time restraining enterprise and great undertakings, which mean employment to many people, is a subject for the most thoughtful philosophy and the truest statesmanship. Great wealth, in itself, cannot be considered a cause of poverty.

The question is here discussed from the angle which I have observed and thought upon it. Of course, it represents only a fragment of a great question; but it seems to me, nevertheless, a fundamental and rudimentary part of it. The poor must primarily be helped to a greater health and efficiency. The changing of laws upon the statute book will not give them the ability to profit by alterations that may be made in their favor. The trouble is, they have not the strength of will, forethought, and intellectual development to know exactly what they want or to profit by what they do get. If many of their crude and contradictory demands were granted, their condition would be worse off than before. The first line of improvement must be to educate, strengthen, and elevate, with the confident hope that the sociology of the future will devise means, while this preliminary question is being worked out, for a more equable distribution of wealth. No uncertain philosophy is needed in this work. Any one and every one can engage in it, whatever their station or

fortune, so long as there is any one worse off than themselves needing help and strength.

DISCUSSION OF DR. CHAPIN'S PAPER.

Dr. FISKE BRYSON.— Those of us who practise among the poor know how well Dr. Chapin has stated the facts relating to them; but it seems to me that the struggle for subsistence can be greatly ameliorated by more instruction, and by giving more instruction *to the instructors*. It was with pleasure and amazement that I listened to an able woman lecturing last winter before a labor organization in New York. She put in a great many quotations from Herbert Spencer and John Stuart Mill. At the end of her lecture, a very bright working-woman got up and said, "No doubt you know a great deal, but it would take me two months to tell you what you do *not* know about us." Most of us think it would take a great deal longer. Few know how to reach these people. The struggle will be lessened when we have rational education. I am going to say a bold thing. that I am glad when any one attacks the public schools. I am going to do it myself when I have more courage. But it is a waste of life and material to carry them on as they are managed now. So, when Dr. Chapin raised his voice, I was delighted; and I hope he will go on in the same way, arousing popular opinion on this subject. When science has triumphed a little more, and we can have food thoroughly nourishing and within the reach of these poverty-stricken people, the struggle for subsistence will be less than it is now. I think Dr. Chapin's paper deserves our gratitude.

Professor WAYLAND.— It is rather an inference from what Dr. Chapin has said that there is a pauper class beyond instruction, beyond elevating, beyond improving. This class must be supported by the State. The only logical, humane mode of dealing with them is to give them relief within almshouses, separating the sexes. Out-door relief, permitting them to add with appalling frequency to the number of their own class, is a source of pauperism, crime, and drunkenness, and is the most stupid blunder which any government can make. To shut these people up in the almshouse so long as they live is the only solution of this phase of the question.

Mr. SANBORN closed the discussion by saying that there has been in the immigration of the past twenty-five years a great improvement in the earning capacity of those coming over,— from Ireland, for instance. They are better physically and morally. From other countries, this does not always hold good. New countries have been introduced into the stream of immigration, and it is now so mixed that it is really impossible to say whether it is better or worse than in former years. It is better in some respects, worse in others. My opinion is that the present mass is of a higher quality than twenty-five years ago.

On motion, Miss Agnes Lambert, of Clapham, England, was made a corresponding member of the Association.

The resolutions which had been introduced at the morning session were taken up in the evening, and passed, as follows: —

Resolved, That a committee of three be appointed by the President of this Association, to draw up a suitable resolution, indicative of the sense of this body, upon the necessity of a rigid demand on the part of our medical institutions for a more thorough general education antecedent to the study of medicine; suggesting the adoption of entrance examinations for those candidates not possessing a collegiate or university degree, and furthermore urging our Medical Colleges so to extend the course of study and increase their facilities that the standard of scholarship may be on a par with like institutions abroad.

Resolved, That the same committee draw a resolution which may be presented to the legislative bodies of the respective States, urging the necessity of formulating more stringent laws to guard against the further incorporation of bodies unqualified to properly teach the science of medicine, and to take such steps that all the incorporated medical colleges be subject to a State supervision as to their methods and the standard of instruction.

Resolved, That a copy of these resolutions be presented to the American Medical Association.

III. PAPERS OF THE FINANCE AND SOCIAL ECONOMY DEPARTMENTS.

1. ADDRESS OF THE CHAIRMAN, MR. F. B. SANBORN, OF CONCORD, MASS.

FRIDAY, SEPTEMBER 7, 1888.

Ladies and Gentlemen,— In the absence of the Chairman of the Finance Department, Mr. W. L. Trenholm, Comptroller of the Currency, it falls to me to preside at the joint meeting of the two Departments, of Finance and Social Economy, which will consider the reports presented by a Special Committee, appointed a year ago. This Committee was charged with the laborious duty of collecting information for the Association, and for an international Conference at Paris, concerning the Provident Institutions of the United States. It has attended to some part of this immense task, and to-day will present, by several of its members, reports on Savings Banks in general (by Mr. JOHN P. TOWNSEND), on School Savings Banks (by Mr. J. H. THIRY), on Life Insurance (by the Secretary of the Committee), on Co-operative Building Associations (by the whole Committee and by Messrs. SEYMOUR DEXTER, J. W. JENKS, and C. F. SOUTHARD), and on the Provident Institutions of Tennessee, Arkansas, and Texas (by Mr. R. T. HILL of Texas). Reports on other subjects, which were expected from Mr. Joseph D. Weeks, Prof. E. J. James, and Rev. O. C. McCulloch, have been prevented from reaching us by the illness of these gentlemen or by other causes. But what we shall present will furnish matter for a full discussion of facts and principles, such as will suffice for this session, and may prepare the way for a more comprehensive report next year.

I shall not need to direct your attention to the facts and principles brought forward by Mr. Townsend, since the importance of his subject is well known, and his own acquaintance with it exceeds that of any member of our Association. In respect to Mr. Thiry and his topic, which is less familiar to us, I may say that France alone has many schools — estimated by Mr. Thiry, himself

a Frenchman born, at 25,000 — in which the pupils are depositing their little savings according to this system; and these now aggregate 2,500,000 francs, or $600,000. England, under the lead of Miss Agnes Lambert and other philanthropists, is imitating the example of France; and in these countries, as well as in Belgium, the School Savings Banks are under the patronage of the national authorities. In America, we must substitute State for national authority in such matters; but it is confidently expected that the successful experiment inaugurated by Mr. Thiry in New York, and already going on in four or five other States, will be tried by philanthropists all over our land.

Circumstances have prevented the Committee from preparing a report worthy of the subject concerning that great American provident institution everywhere known as Life Insurance, but the information we offer will probably be new to some of the audience. Concerning those little democracies of financiering and investment, the Co-operative Savings Fund and Building Loan Associations, we offer much that is new, and perhaps present for the first time a view and estimate of these institutions in all parts of the United States. Judge Dexter will also lay before us the true theory and practice of these associations, which are now spreading with unprecedented rapidity throughout the land; and Mr. Hill will show how much they are needed and what they are doing in the South-west.

Dr. Wayland, of Philadelphia, who has been investigating the Hebrew charities, will add a few remarks concerning the Provident Institutions of that race and religion among our fellow-citizens.

2. SAVINGS BANKS IN THE UNITED STATES.

BY JOHN P. TOWNSEND, OF NEW YORK.

The first Savings Bank ever incorporated under authority of law was located at Boston, in the State of Massachusetts, on the 13th of December, 1816, only seventy-two years ago. The system took root in Massachusetts and quickly extended into neighboring States. The good results from a few dollars then wisely invested induced other communities to follow, and the experiment of 1816 became the great system of 1888. As an illustration of the desire to aid the cause of popular education in other respects, and to direct investments in proper channels, one of the early savings bank charters directs that deposits may be loaned to the Public School Society of New York, on the security of mortgages on its landed estate to the extent of 70 per cent. of its value. A wise provision also, in a new country, which requires all its currency capital to be available, and its money kept in circulation, permitted temporary deposits on interest in incorporated deposit and discount banks. Another clause required all the profits to be annually divided among depositors (no accumulation of a surplus fund being required); and so jealous was the legislature in guarding against the entailment of a doubtful system that trustees were required to report to it once in three years the amount of unclaimed deposits and interest on hand, with the names also of depositors who within twelve months prior had drawn no dividend.

Some of the early restrictions were in due time removed: departments were created in many of the States under whose supervision savings banks are subjected, and to whom they report with full details of their operations and investments. Thus, stone by stone, the foundations of the great system were laid, which has so rapidly expanded to its present proportions.

The territorial limits of the United States of America are embraced within 24 parallels of latitude and 58 degrees of longitude (excluding Alaska), a stretch of country under one general government nearly 1,700 English miles from north to south, and

more than 4,000 miles from east to west. It has an area of 3,604,000 square miles, nearly equal in extent to the continent of Europe, and eighteen times larger than the territory of France. It is divided into thirty-eight States or Commonwealths, each of which within its own boundaries is practically sovereign, makes its own laws and administers justice. Besides these States there are ten Territories, the common property of the nation, which, until they are admitted as States, are under the control of the general government of the United States. The population of the country is upwards of 60,000,000, descended from every nation of the habitable globe; but the great majority are of Anglo-Saxon extraction. They live together under equal laws, a compact nation, loyal to a common flag.

The constitution and laws of each State are formed subject to the Constitution of the United States, so that, while the principle is the same in each, they differ in many essential particulars, to attain a common end, the well-being of the people. The savings banks in the United States are operated under State authority: none are required to report to the Congress or to any official of the United States. Many of the States have no savings banks, but all have banks of some sort. The management of the former differs in each: some are operated under general laws, others under special charters, some report to State officials, others to State legislatures, others again to the body of corporators only. Hence, a great difficulty arises in obtaining exact information concerning them, but from that accessible this paper is prepared.

The Comptroller of the Currency, an official of the United States, reported to Congress, Dec. 1, 1887, that he had obtained through the courtesy of the authorities in 19 States and Territories information, official and unofficial, concerning 684 savings banks, of which 593 have no capital and 91 report capital amounting to $10,090,866. The aggregate surplus and undivided profits of the 684 savings banks is $126,900,243, and their aggregate deposits amount to $1,235,736,069; the number of depositors is not given. Statistics for Treasury purposes, of assets and liabilities, is all that the law of Congress required; but, as savings-bank statistics, the number of banks and the amount of deposits given by the Comptroller are misleading. Many of the banks reporting to him are not true savings banks; their deposits belong largely to capitalists; the institutions are organized for the profit of stockholders, and have none of the characteristics of benev-

olence, nor do they pretend to have any, unless the misleading name they have assumed may be so construed. A savings bank is a benevolent institution, without capital, managed by trustees without salary, in the interest of depositors only, to whom profits are paid, or for whose benefit they are accumulated and reserved. The trustees cannot borrow its money or be in any way personally benefited except one serves as an officer and devotes his time to the details of management, when he may receive a fixed salary.

The administration and methods of business have been fully set forth in the reports which I had the honor to make to the Universal Congress held in Paris in the years 1878 and 1883.

The funds are invested in the bonds of the United States government, in those of the various States or Commonwealths, in the bonds of counties, cities, and towns, in mortgage loans on landed property, in the stocks and bonds of dividend-paying railroads, in the stock of national banks, in the stock and bonds of land mortgage companies,* on all of which they may also make loans. It is to be said, however, that investments in many of the foregoing securities are limited to a certain per cent. of the deposits. In New York and New Jersey investments are not permitted in railroad, bank and land mortgage company securities.

Savings banks are in full operation in ten States of the United States, and partially so in three others, viz.: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Ohio, Wisconsin, and Minnesota. These thirteen States have 630 banks, 3,405,988

*The Western land mortgage companies are an adaptation to American practice of Büring's system of land credit, which has been established on a large scale in Germany and Russia for more than a hundred years. In 1852 the celebrated financier, Wolowski, introduced the system into France, and formed what is now the Crédit Foncier de France. The object of these institutions in the United States is to bring the Western borrower and the Eastern lender together. The mode of bond issues may be thus briefly described: A mortgage company with a paid up cash capital of, say, one million dollars deposits with a trust company in New York (a distinctly separate corporation) a number of mortgages which it has taken upon land to the extent of not over fifty per cent. of its value, varying in amounts from a few hundred to a few thousand dollars each series, aggregating, say, $100,000, with the notes of the mortgagors corresponding in amount bearing semi-annual interest and payable with the mortgages in from one to five years, together with official certificates of title to the land mortgaged, also its own debenture bonds of equal aggregate. After examination and verification, the trust company certifies on each debenture bond that the mortgages are held in its possession as security for their repayment, when they are returned to the mortgage company which offers them for sale. The debenture bonds bear six per cent. interest, payable semi-annually in New York, and are due in ten years, with an option to the company, on notice given, of repayment after five years. If any of the hypothecated mortgages are paid off before the bonds mature, they are replaced either by cash deposited with the trust company or by other mortgages of at least equal value. The security of the buyer of debenture bonds consists of the land mortgaged, the notes of the mortgagors, and the capital and liability of its stockholders for an equal amount in addition of the mortgage company.

depositors,* with $1,202,295,034.63 on deposit, averaging $382.35 to each depositor. The surplus and undivided profits amount to $124,814,345.22, and their total assets to $1,328,070,161.92. They paid to depositors the past year dividends of more than $43,000,000.

Their investments consist of —

Mortgages on landed property, ...	$450,698,624.00
United States bonds, ...	218,276,620.69
State, city, county, town, and village bonds, . . .	270,507,787.63
Railroad stocks and bonds, bank stock, and other securities, ...	314,744,423.73
Cash on hand, in banks, and on demand loans, . .	73,842,705.87
	$1,328,070,161.92

A table giving statistical information for each State is herewith presented. The population of the States in which the savings banks are located is 23,673,100, and the average deposit per capita of population is $50.79. The largest average per capita in any of the States is in the smallest one in population and territorial extent, viz., Rhode Island, which, with a population of 326,200 and a depositing population of 120,144, has an average deposit per capita of $169.72, or $460.81 to each depositor. The largest city, New York, with a population of 1,600,000, has 699,510 depositors, with a deposit of $283,350,552, an average per capita of $177.09, or $405.07 to each depositor. They received $9,339,163 in dividends the past year. The smallest average deposit per capita is in Wisconsin, which has a population of 1,534,500 and but one bank, with a total deposit of $32,648.88, belonging to 821 depositors, an average of .02 cents per capita for the whole State.

* Although the amount which a person may deposit in a single bank is limited by law, there is no limit to the number of banks in which one may make deposits, so that there are no data to prove the actual number of individual depositors. It is estimated, however, that a considerable per cent. have accounts in more than one bank.

TABLE SHOWING THE CONDITION OF SAVINGS BANKS IN THE UNITED STATES.

COMPILED FROM OFFICIAL REPORTS AND ANNUAL STATEMENTS BY JOHN P. TOWNSEND, FOR THE YEAR 1887.

LIABILITIES.

	Number of Banks.	Number of Depositors.	Population.	Amount of Deposits.	Average to each Depositor.	Average per Capita of Population	Surplus and Undivided Profits.	Other Liabilities.
Maine, ...	55	119,229	667,400	$38,819,643.22	$325.58	$58.17	$2,403,008.60	$60,962.25
New Hampshire,	66	132,714	371 100	50,292,666.85	378.95	135.52	4,217,889.76	14,222.73
Vermont, . . .	28	53,810	333,700	15,587,050.93	289.67	46.71	776,112.99	50,674.96
Massachusetts, .	173	944,778	2,056,600	302,948,624.08	320.66	147.30	13,833,917.17	314,958.12
Rhode Island, .	37	120,144	326,200	55,363,283.63	460.81	169.72	2,996,982.64	100,261.69
Connecticut, . .	85	278,415	694,300	102,189,934.72	367.04	147.18	5,668,333.64	38,644.38
New York, . .	125	1,325,062	5,670,700	505,017,751.00	381 12	89.07	85,249,647.00	191,353.00
New Jersey, . .	24	105,895	1,320,000	29,060,189.39	274.42	22.01	2,482,129.73	189,704.94
Pennsylvania, .	5	*162,896	4,921,800	53,282,650.38	327.09	10.82	4,041,512.20	.....
Maryland, . . .	22	*114,674	1,064,300	31,615,609.84	275.69	29.70	1,599,721.35	.....
Ohio, ...	4	*38,000	3,645,400	15,766,489.21	415.00	4.32	1,511,054.89	.....
Wisconsin, . .	1	821	1,534,500	32,648.88	39.77	.02	603.04	.....
Minnesota, . .	5	9,550	1,067,100	2,318,492.50	242.77	2.17	33,432.21	.....
	630	3,405,988	23,673,100	$1,202,295,034.63	$382.35	$50.79	$124,814,345.22	$960,782.07

* Partly estimated.

Total Liabilities, $1,328,070,161.92.

ASSETS.

	Loans on Mortgages of Landed Property.	United States Bonds.	State, County, City, Town, and Village Bonds.	R.R. Securities, Bank Stocks, other Investm'ts, and Real Estate.	Cash on hand, in Bank and on Demand Loans.	
Maine, ...	$6,352,794.03	$1,879,754.12	$12,433,106.85	$19,787,659.12	$830,299.95	Paid 4% Div. '87.
New Hampshire,	24,416,680.66	543,350.00	7,011,151.33	21,690,286.03	863,311.32	Paid 4% Div. '87.
Vermont, . . .	9,714,717.12	261,460.00	3,354,884.09	2,781,811.92	300,965.75	Paid 4½% Div. '87. No R.R. Securities.
Massachusetts, .	119,792,832.88	8,640,378.23	42,308,417.13	137,497,231.46	8,858,639.67	Paid 4% Div. '87.
Rhode Island, .	23,331,736.61	2,641,250.00	6,536,613.41	25,231,031.58	719,896.36	Paid 4⅓% Div. '87.
Connecticut, . .	41,712,904.55	2,879,705.99	17,183,804.74	43,379,590.87	2,740,906.59	Paid 4% Div. '87.
New York, . .	193,764,194.00	169,978,160.00	163,926,769.00	13,304,788.00	49,484,840.00	Paid 3½% Div. '87. No R.R. Securities nor Bank Stock.
New Jersey, . .	10,287,115.05	10,716,170.00	4,997,051.52	2,043,329.06	3,688,358.43	No R.R. Securities nor Bank Stock.
Pennsylvania, .	10,473,722.48	8,030,554.25	12,255,989.56	21,316,850.11	5,247,046.18	
Maryland, . . .	4,775,580.69	10,397,488.10	Not stated.	18,042,262.40	Not stated.	
Ohio, ...	4,610,749.71	2,258,350.00	500,000.00	8,829,914.70	1,078,529.69	
Wisconsin, . .	23,699.24	.....	.....	6,827.18	2,725.50	Paid 5% Div. '87.
Minnesota, . .	1,441,896.98	50,000.00	Not stated.	832,841.30	27,186.43	
	$450,698,624.00	$218,276,620.69	$270,507,787.63	$314,744,423.73	$73,842,705.87	

Total assets, $1,328,070,161.92.

Besides savings banks there are in the several States and Territories, say, 5,600 national and State banks and private bankers, with a paid up capital of $806,000,000 and deposits of $2,100,000,000, with most of which small deposits are made. It is pure conjecture to estimate what part of these deposits should be classed as savings; but the Comptroller of the Currency gives official and unofficial returns of the deposits in so-called savings banks, of which we have taken *no* account, as $100,037,406; and, if the amount of savings deposits in these should be estimated at three-fourths, or, say, $77,000,000, and the savings deposits with national and State banks and private bankers in the thirty-five remaining States and Territories at $220,000,000 (which is perhaps within the true amount), we shall have a total savings deposit in the country of $1,500,000,000. But this amount seems small for a country which affords the facilities for accumulation which the United States possesses, and is to be accounted for by the number of life insurance and co-operative building loan companies in which savings are invested, the easy terms and cheap prices at which land can be purchased in all the States and Territories, and the moderate amount of capital required for starting business on one's own account. All these absorb savings that would be directed into savings banks, and perhaps hinder their incorporation in States where none exist. It is a singular fact that in cities like New York, Boston, and Philadelphia, where savings banks have been in operation the longest, and where the number of depositors is greatest, the masses of the people are the most law-abiding; and, although anarchists and socialists from abroad have lately come among the foreign-born population, to incite to riot and resistance to law, the voice of public opinion has been almost unanimously against them, causing their arrest and indictment on the first breach of the peace, followed by trial and imprisonment, which has completely frustrated their attempts to destroy the power of the government. While in places like Chicago and Milwaukee, having no savings banks, this class of people, with evil designs, have influenced "fellows of the baser sort" to riot; and together they committed murders, which were punished by the judicial execution of five persons and the life imprisonment of others. It may not, therefore, be claiming too much to say that savings banks have demonstrated that accumulations in them of capital by the masses, whose trustees largely invest in property in the vicinity of the banks and in the bonded debts of the Com-

monwealths and of the United States, influence the depositors to become more useful and peaceable citizens; for they correctly reason that the safety of their deposits and the certainty of dividends depend primarily on the enforcement of law and the maintenance of order.

In some States, their savings banks are required only to set aside a small percentage of earnings to meet contingencies: others annually divide nearly all the net earnings; and a disposition to declare large dividends is too general, which State officials contend against, it being a weakness of mankind to take optimistic views of the future and to make little provision for reverses, which are almost certain periodically to occur.

New York, called the Empire State, has the largest banks and the greatest deposits. Its experience, also, is the ripest, on which its general savings-bank law is founded. It was enacted after its banks had passed through many trials and tribulations, and is the model of the country. Down to May, 1875, all of them had special charters which were unlike in their provisions and powers. In that year, a commission of experts prepared the present law, which was enacted by the legislature, to which all the banks were required to conform; and its success has been marvellous. The badly managed banks have been weeded out or brought to a higher standard. Under it, investments are restricted to first-class securities, individual deposits are not permitted to accumulate beyond $3,000, ordinary dividends must not exceed five per cent. per annum, a surplus fund in each bank must be gradually accumulated until it reaches fifteen per cent. of its deposits, estimating securities that are worth it at par and others, if any, at their market value, after that any excess earned is to be divided once in three years among the depositors. Already the surplus in the oldest and best managed institutions has reached six to eight per cent., after paying semi-annual dividends at the rate of about four per cent. per annum for the past thirteen years.

Other States have recognized the wisdom of this advanced legislation, and are gradually adopting its most prominent features as experience points out the necessity. In a republic like the United States, if laws are not at first scientifically perfect, it is usually because experience has not demonstrated their defects; but, once the necessity of amendment is clearly shown, the power of public opinion is brought to bear, then the tendency is, not that justice shall be done in the future, but that the transgressions of the past shall be atoned.

New York State has 125 banks, with 1,325,062 depositors and $505,017,751 on deposit, which is nearly two-fifths of the depositors and more than two-fifths of the deposits in all the savings banks; while the population does not greatly exceed one-fifth that of the thirteen States. These banks have seventeen per cent. surplus and undivided profits, estimating securities at their market value. They paid in dividends to depositors about $17,000,000 the past year, and their total increase in resources in the past ten years has been $243,732,549.

The average cost per annum for the care of each acccount is $1.23, or $\frac{3}{10}$ of 1 per cent. to total deposit. It has also the largest individual bank in the world, viz.: —

The Bowery Savings Bank, which has 106,303 depositors, $44,621,033.64 on deposit, with a surplus of more than twenty per cent., estimating securities at their market value, or 9½ per cent., estimating them at par. It is also the largest creditor of the government among the savings banks, and owns $22,000,000 United States 4, 4½, and 6 per cent. bonds, which are worth in the market $27,342,390. Its gross income is 4.97 per cent. of its deposits, its expense of management is $\frac{1}{5}$ of 1 per cent., it pays interest, semi-annually, at the rate of 4 per cent. per annum on deposits from $5 to $3,000, which have been in the bank at least three months prior to January and July 1st, and has paid to depositors since its incorporation in May, 1834, $37,758,326.53 in fifty-four years. It has one account in the bank now drawing interest which was opened in 1842, more than forty-five years ago; and there are 1,933 accounts now drawing interest which have been open twenty years or more. It has added nearly 1 per cent. to its surplus fund the past year. It employs 19 clerks and 6 other employees, and had 218,379 transactions with depositors in the year, averaging 728 for each working day.

The average expense of savings-bank management in all the thirteen States is less than $\frac{1}{3}$ of 1 per cent., the average interest paid is nearly 4 per cent. In the six New England States the average is greater than 4 per cent. In Vermont it was 4½ per cent., and in Rhode Island $4\frac{7}{10}$ per cent. was paid in 1887. The trustees who manage these institutions, and under whose direction these good results are achieved, are men of affairs, who, besides managing their private business, meet once a month as a board of trustees: many of them serve on committees, weekly and sometimes daily. In making investments and in general management, they assume all the liability of trustees, and the laws and public opinion

hold them to the most rigid accountability. Probably no position under the laws is as closely looked after, and any dereliction of duty or malfeasance in office is impartially punished. All these duties are performed by the thousands of trustees without profit to themselves, and solely as acts of benevolence, in order that others less gifted may profit and become better and happier citizens.

TAXES.

The savings banks of the New England States and Maryland and New Jersey pay a small tax on deposits, which is not burdensome. The New York banks, being restricted to the class of investments, generally free from taxation, which pay a smaller rate of interest, are practically freed from all tax except upon their real estate.

The policy in the thirteen States is to encourage savings and foster good habits among the people; for they are found to be a good police regulation, a saving in the tax to support paupers, and an economy in the maintenance of prisons. The remission of tax on the savings of the poorer class assists to solve an economic problem, and, if we had a native-born population only, the system would be almost perfect; but we receive immigrants from all the world (except China), and many of a lawless class, who are systematic transgressors. Still the "Republic" has been able to bear the strain, for our government teaches self-respect and the true dignity of manhood; but its task is wearisome in dealing with a class which has lately arrived, and resort has been had to extreme measures to demonstrate that liberty is not license.

SCHOOL SAVINGS BANKS.

It is gratifying to report that this useful branch of the general system is at last in successful operation in thirty-five schools in five different States of the United States.

In one small city in the State of New York, seven out of nine public schools have well-managed banks. They have met with hearty approval and support in all places where they are known, and they promise as beneficial results to communities as similar banks in Europe. For several years they have had the indorsement of the National Bureau of Education, of influential magazines, and writers on Savings Banks. The author of this paper has advocated their adoption in many published articles and books since 1875, and it seems an anomaly that an enterprising people

should have so long delayed the extension of a system whose principles they had approved so thoroughly for two generations; but at last we are assured that School Savings Banks will increase in number as their usefulness is demonstrated.

POSTAL SAVINGS BANKS.

The establishment of Postal Savings Banks has been advocated by benevolent men for the reason that in many States no special provision is made for the safe keeping of small amounts accumulated by the industrious poor. It has been suggested that every money-order post-office, of which there are 8,089, besides 110 money-order stations, should be indicated as a place of deposit. Now, it should be remembered that these offices are located only in large towns and cities, where national banks or bankers are already located, and that no postal deposit places are suggested or practical in villages and other sparsely populated districts where they are needed most of all, and also that the Government of the United States has no use for money in its treasury, which is now overflowing with an enormous surplus collected by unnecessary taxation. The national revenue from taxation is about a hundred million dollars per annum in excess of its requirements, and the unexpended surplus on hand is $125,000,000.

The country is now agitated as to its proper disposal, and is seeking for means to prevent further accumulations. Under these conditions, the situation would be further complicated in casting about for investment for other millions to earn interest for depositors and pay the expense of the system, which alone would cost one-half to five-eighths of one per cent., besides the loss in exchange to pay drafts at points far distant from places of deposit. Many towns, also, would suffer inconvenience and loss in being drained of their currency at certain seasons of the year by the transmission of deposits to the capital of the country. The example of other countries has no bearing on our case, the conditions not being at all similar: instead of incurring a national debt, we are paying off the one we have, and in all probability will soon set the example of a nation freed from its trammels. No sufficient reason seems to exist for us to assume this additional responsibility. Our government does not support the people, the people support the government, and all should not be taxed for the benefit of a few. It seems unwise, therefore, to establish a system here which for other peoples under opposite conditions and governments may be most wise and dutiful.

It requires no capital to start a savings bank. Men of honesty and good judgment reside in every community, and would act as trustees if the duty was fairly laid before them. Every State has some kind of property, known to its inhabitants to be good security, in which deposits might be invested and on which loans could be made. If savings banks are desirable, the material is at hand with which to begin them ; and under a general law, similar to that of New York, their success would be beyond reasonable doubt.

3. CO-OPERATIVE BUILDING ASSOCIATIONS.

A REPORT FROM THE SPECIAL COMMITTEE ON PROVIDENT INSTITUTIONS, READ AT SARATOGA SEPT. 7, 1888, BY F. B. SANBORN, SECRETARY OF THE COMMITTEE.

This subject is no new one to members of the Social Science Association. It was first brought to our notice in 1874 by the late Josiah Quincy, of Boston, who wrote copiously on the questions involved, in that year and in 1875–76; and it was investigated by committees of our Social Economy department from 1874 to 1879. Our first publication of the facts collected (in a report made by Robert Treat Paine and the late John Ayres, at our Detroit general meeting, in May, 1875) attracted much notice, and was followed by several other investigations by societies and individuals. Our Association continued the matter by a paper read at the Brighton meeting of the British Social Science Association in October, 1875; by an extended report read at our Boston meeting of January, 1876; by several papers (which were published) and a discussion at our Philadelphia meeting in June, 1876; and, finally, by reports at the Boston and Cincinnati meetings of our Association in 1878. At this last-named meeting, the facts concerning co-operative building associations in Cincinnati were ascertained, as they had been ascertained and made public for Philadelphia in 1875–76. Philadelphia was the first breeding-ground of these associations in America. They were introduced there, in a suburb of that city, about 1831, and by 1874 had increased in number to at least 400; while they had also spread into New Jersey and Delaware, and from Maryland had been transplanted into Ohio, but with a system of management in some respects very unlike that of the Philadelphia associations. In Cincinnati, in May, 1878, we found there were at least 15,000 members of these building associations, paying in weekly not less than $60,000; and this had been going on, and the associations had been increasing, in spite of the "hard times," from 1876 to 1878. Meantime, the building associations of Pennsylvania and Michigan had been suffering from these "hard times" and from certain

defects in their State laws, involving judicial decisions unfavorable to the whole system.

In the light of these facts, the State of Massachusetts, at the suggestion of Josiah Quincy, Gamaliel Bradford, Robert Treat Paine, and other members of our Association, and with the hearty support of many persons of small means, who were desirous of forming such organizations, passed its act of 1877, defining and regulating "co-operative savings fund and loan associations," as they were briefly termed by Massachusetts law. There had been much opposition in 1875–76 to the enactment of such a law, the old savings banks being fearful that these new organizations would injure them; but such has not been the result. Scarcely had the organic law been passed — May 14, 1877 — when, in July, 1877, the first of these corporations in Massachusetts — the "Pioneer Co-operative Bank" — was established, with our former associate, Gamaliel Bradford, as treasurer, Mr. Quincy as president, and D. Eldredge as secretary; and we now have from these two gentlemen — Messrs. Bradford and Eldredge — a report on building associations in Massachusetts, which practically covers the whole of New England, and may be summarized as follows: —

ASSOCIATIONS IN NEW ENGLAND.

In January, 1879, Josiah Quincy, writing to Mr. Sanborn, said: "The co-operative fund and loan associations are, I think, fully established in Massachusetts. There are a dozen in the State that I understand are doing well. The two in Boston (the Pioneer and the Homestead) have nearly 1,000 members, and loan $5,000 or $6,000 a month." This was nearly ten years ago. To-day, Mr. Eldredge reports in Massachusetts 64 co-operative banks, of which 13 have been organized since Oct. 31, 1887. The 51 previously organized are reported by the State Savings Bank Commission as having 20,735 members, an average of 400 each, with 134,164 shares, and assets amounting to $4,211,949. The present assets of the 64 banks exceed $5,000,000, the yearly increase now being nearly $1,000,000 in Massachusetts. Of these 64 Massachusetts building associations, the Pioneer Co-operative Bank is the oldest and presumably the richest. On the first of April, 1888, it had assets of $238,195.68,— an increase during the year preceding of $22,728, or more than 10 per cent. Its receipts during the year from all sources were not quite $150,000, of which more than $60,000 was from dues and fines. It had 776 members,

with 59,955 shares, and 170 of these were borrowing members,—a little more than one-fifth of the whole number. Of its first series of shares, upward of 1,700 originally, only 36 remain outstanding; while of the nineteenth series, issued in October, 1887, 595 are outstanding.

Of the other 63 banks, about 10 are in Boston; and the rest are well distributed through the cities and large towns of Massachusetts, there being 3 in Worcester, 3 in Taunton, 2 in Fall River, 2 in Haverhill, and 1 each in Lowell, Lynn, New Bedford, Cambridge, Chelsea, Somerville, Springfield, Holyoke, Westfield, Fitchburg, Waltham, Woburn, etc. Scarcely 3 of the 25 cities of Massachusetts are without such associations; while several of the large towns where skilled workmen are numerous, like Amesbury, Marblehead, Natick, Plymouth, Sandwich, Stoneham, and Wakefield, have each one of these banks. They are now increasing in number faster than ever before, and seem to be on a good financial basis and well managed under a State law so good that it is taken as a model in other States.

In Maine there are 10 or 12 of these associations, mostly organized within five years. In New Hampshire there are 4, all organized since January, 1887. In Rhode Island there are 3, the principal one being at Providence. In Connecticut there are 6 or 7 in different parts of the State,—one at New Haven, with a special charter, and the rest voluntary associations, without charters, at Meriden, New Britain, etc. In Vermont there is no law for such associations, and none are organized. The Vermont legislature, when convened, is to have the matter introduced. In all New England, therefore, there are not far from 90 building associations or co-operative banks; and they are fast increasing in number.

IN THE MIDDLE STATES.

The largest proportionate number of these corporations is found in the five Middle States of New York, New Jersey, Pennsylvania, Delaware, and Maryland; for it was in two or three of these States that they were first started, and have been spreading gradually for more than half a century. It was not until 1849, however, that the first incorporated building association in Philadelphia was chartered, although 50 or more unchartered voluntary associations had existed there from 1831 to 1849. After 1849 their growth was rapid; for 148 were chartered in the ten years 1860–69 inclusive, and 317 in the six years 1870–75 inclusive. In twenty-seven years,

then, 692 building associations were chartered in Philadelphia alone; and at least 450 of these were in active operation in 1876, when the great Centennial Exposition took place in the city of Franklin. Probably in the whole country at that time there were not as many more in existence, for there cannot have been 900 such associations in the United States in 1876. There are now probably more than 2,000 outside of Pennsylvania; and M. J. Brown, of Philadelphia, estimates the number in all Pennsylvania now as 900,— 450 in Philadelphia and 450 in the rest of the State. In New Jersey there are probably about 170 associations; in Delaware, 30; in Maryland, 50; and in the State of New York, at least 250. This would make more than 1,400 such associations in the five Middle States.

It may be asked what amount of capital is invested in these associations in Philadelphia and in all Pennsylvania. Mr. M. J. Brown has undertaken to answer this question; and his figures, though partly estimates, have great value. He examined the sworn accounts of 120 building associations with the following results: Aggregate capital, $8,749,337; average capital, $72,911; aggregate shares, 151,680; average shares, 1,264. Applying this ratio to the other 330 Philadelphia associations, their capital becomes $32,810,017, and the number of their shares 568,800. It is therefore probable that in all Pennsylvania there are now nearly 1,000,000 shares in these associations, and that they represent a cash value of at least $60,000,000. The whole savings bank funds in Pennsylvania hardly reach this sum; and, when it is considered that the savings effected by the building associations are continually passing out of their hands into those of the shareholders, in the form of occupied houses, it will be seen that the actual savings of these associations must be much greater than their capital at any one time. In 1876 Mr. Joseph Doren estimated this sum at $50,000,000 in Philadelphia alone; and, by this time, it must exceed $100,000,000, for mortgages were then making at the rate of 3,750 a year, at an average of $2,000 each. This would show an investment of $7,500,000 each year in mortgages, which in twelve years would be $90,000,000; and, of this sum, at least $60,000,000 must have been paid off by the natural operation of the system. It is therefore probable that $150,000,000 is none too much for an estimate of the now existing savings effected in Pennsylvania alone by the building associations. No other State can probably show half as much.

New York has only of late begun to develop this system on a large scale, although some building associations have existed there for more than thirty years. The old law under which they organized was passed in 1851; and in the next year, 1852, the first Rochester organization was organized, and continued in operation for a few years. No other appeared in that city for nearly twenty years, when many sprang up which were used for speculative purposes, and checked the growth of the better kind, then so numerous in Pennsylvania; but in 1882 the Rochester associations began to "boom," as the phrase is, and there are now said to be 80 of them in that single city of Rochester, of perhaps 125,000 population. In Buffalo, with a population of 225,000, the number of building associations is quite as great as in Rochester, the largest of these being the Erie Savings and Loan Association, which is less than five years old, but has issued more than 5,000 shares of semi-annual series, and now receives more than $40,000 a year in dues and fines, and more than $8,000 a year in premiums and interest. In the other cities of central and western New York,— in Elmira, Syracuse, Utica, etc.,— these associations have also been forming rapidly of late; and the Chemung Valley Mutual Loan Association of Elmira has existed for thirteen years, and now has assets to the amount of $175,000 and about 450 shareholders. In the cities of New York and Brooklyn, new associations have been fast forming for two years past; and now, for the first time, the system seems to be actually planted in that great commercial and manufacturing centre.

The New York *Star* has been devoting a column a day to the explanation of the building association system; and one of its editors, Mr. C. F. Southard, has prepared a small manual for the use of inquirers and of members of these companies. He will also submit a paper to-day, warning us of some of the risks which attend these organizations. It is impossible to say how many of these associations now exist in the State of New York, but they must be counted by hundreds. Most of them are organized under the old and faulty law of 1851 (chapter 122), and there is an unfounded impression that the more carefully drawn act of 1887 (chapter 556) will somehow injure an association which organizes under it. At the State Conference of Building Associations, held at Rochester May 17, 18, 1888, this impression seemed to be shared by a majority of the delegates from about 100 associations there represented. A small minority of the delegates believed

that the associations should be examined by the officers of the State Banking Department, and it was over this question that the Conference had its most animated discussion. A resolution calling upon the Superintendent of the State Banking Department to make such examinations was introduced, but subsequently withdrawn, and no official action on the question was taken. The sentiment of the great majority of the delegates was that these examinations, made annually or oftener, would be both expensive and useless. The law of 1851 does not provide for such examinations of loan associations as are made of banks; but it does provide for an examination upon the request of not less than five stockholders, and it was claimed that this was all that is needed. It was further said that the business of the loan associations is conducted publicly at regular weekly meetings, that the stockholders take an active interest in everything that is going on, and, consequently, opportunities for dishonorable practices are very slight. Finally, it was said that the law of 1851 has worked successfully for thirty-seven years, that losses by reason of failure have not equalled 1 per cent. of the capital invested, and that the best policy is to let well enough alone. There is force in these arguments; but the advantages derived from State supervision and public report far outweigh the disadvantages, and any extension of these associations in any State should be accompanied with ample protection for the investors by frequent reports from some public office and State supervision of methods.

In New Jersey, the associations have been reported on by the State Labor Bureau, from whose reports it appears that there are in the State no less than 170 building associations, with a capital of $8,000,000 or $9,000,000. In Delaware, they are also numerous, but chiefly in Wilmington and its vicinity. In Maryland, they are chiefly found in Baltimore and its suburbs. The New Jersey associations began before 1847, but it was in that year that the State legislature first recognized their existence. An act encouraging their formation was passed in 1847, another in 1849, and the latter, as revised in 1875, is now the State law on the subject. In 1880, the Labor Bureau began to report on them; in 1882 there were something more than 100 associations in New Jersey, with nearly 20,000 members, who owned 102,075 shares, and paid in dues about $4,250,000 annually. In 1885 these societies had increased to 130, and they may now number 170. It was estimated by the New Jersey Labor Bureau in 1885 that there were then in the

whole United States 3,000 building and loan associations, with 450,000 members, and an aggregate capital of $75,000,000. If this was so, the capital must now exceed $100,000,000.

IN THE SOUTH AND THE SOUTH-WEST.

For various reasons, some of which are stated by Mr. R. T. Hill, of Texas, in his report concerning provident institutions in the extreme South-west, there have been few accumulations of savings in the form of money in the greater part of the South. The number of savings banks there is small, and building associations are recent, and as yet comparatively few. Mr. Hill estimates that there are 50 in Texas, which is probably as many as in any of the former slave-holding States, unless Maryland be an exception. They are numerous in Missouri; and a few are found in Arkansas, Mississippi, Kentucky, Tennessee, Louisiana, Alabama, Georgia, the Carolinas, and the Virginias. From these States, however, the committee have only scanty reports. There are 20 or more associations in the city of New Orleans, several in Atlanta, 1 at Georgetown, S.C., 1 at Key West, Fla., 1 at Pensacola, 1 at Selma, Ala., 1 at Fort Smith, Ark., 1 at Lafayette, La., 1 at Parkersburg, W. Va., 1 each at Yazoo City and Columbus, Miss., and no doubt many others in the above-named States. In Louisiana, it seems that as long ago as 1873 a building association was formed, which ran its course in ten years and divided its profits among the members. But the first of the existing New Orleans associations was organized in September, 1882, and has since been very prosperous, having now about 600 members, who have built or purchased more than 100 homes during the six years of its existence. Several others of the 20 or 30 New Orleans associations have from 300 to 600 members. In Tennessee, the associations organized in 1880–81, and in 1885, in order to defend law-suits to better advantage, formed a State union, which, at its organization, included 6 associations at Memphis, 4 at Nashville, and 4 or 5 others in different parts of Tennessee. There are now 5 or 6 in Chattanooga, which during seven years past have provided homes for 250 familes; and in all Tennessee there must now be upward of 30 associations.

In Missouri, the number exceeds 50, and may be much larger. An act passed in that State last year has led to litigation to test its constitutionality. The act in question was passed March 31, 1887, to govern the formation of these associations, and in many respects

differed from the statutes then in force. The last enacted law claimed such associations to be benevolent associations, and exempt, as mentioned in article 10, section 21, of the State Constitution, from the payment of tax on the capital stock, there being already an article in the statutes of 1879 governing the formation of benevolent, religious, educational, and miscellaneous societies, which under the constitution were exempt from payment of said tax on their capital stock when incorporating. The Secretary of State was of the opinion that this part of the act of March, 1887, was void, and declined to issue certificates of incorporation until the tax on the capital was deposited with the State Treasurer, to be held until the determination by the court of the question of the legality of that part of the act of 1887. Under this arrangement, 34 associations deposited with the State Treasurer the amount of the tax on their capital stock, aggregating $6,608. If the court sustains the associations, this money will be returned to them. This question in Missouri was earlier raised in New York, and has there been practically decided against taxation, because in that State savings banks are not taxed. There are States, however, such as Massachusetts, where savings banks are taxed; and there seems to be no reason why building associations may not be, should the public good require it. We are inclined to estimate the whole number of building associations in the former slave-holding States, exclusive of Delaware and Maryland, at 250; but they are fast increasing.

IN THE WEST AND NORTH-WEST.

In this section of the country, Ohio, and especially Cincinnati, was the pioneer in establishing building associations. Dr. P. A. Keck, of Cincinnati, has the credit of beginning the first one in that city in 1867, where there are now perhaps 350. Three years ago Dr. Keck wrote an account of his work in Cincinnati, in course of which he said: —

There are too many building associations. At the time I started the system, I thought that five or six societies would be enough for the needs of the people of this city; but now there are so many that I think a great many people suffer by it,— the butcher, the baker, the doctor, the tenant, the landlord, and almost everybody else. Some of the members of the associations, instead of paying their debts, put their weekly earnings into these associations and get their dividends every year. It is my opinion that societies nowadays pay too much in the way of salaries and current expenses, such as the purchase of safes, etc. The object of such

associations is the saving of small amounts by individual members, and the current expenses of the society should be reduced to the minimum figure. When I started the first society here, we paid our secretary $1 a night, and afterward $2. Now secretaries are paid $5 a night; and even that amount is not considered enough by some people.

The whole number of these associations in Ohio can only be guessed at; for the Cincinnati member of our committee has been unable, through ill health, to collect the scattered statistics. There are about 400 associations in that city alone, or at least in Hamilton County; and in Dayton, Toledo, and many smaller cities these societies exist. It is supposed that Ohio stands next to Pennsylvania in the number of its building associations, and that they exceed 600 in Ohio, while there may be 1,000 in Pennsylvania, large and small. In Cincinnati, the shareholders are estimated at 75,000; and the amount of weekly payments of all sorts is reckoned at $1,500,000. A further estimate gives $300,000,000 as the amount invested in Cincinnati by these associations in ten years; but this is probably excessive. They far outstrip the savings banks of Cincinnati in the amount of their investments, however, and in the number of their depositors. The majority of these are Germans or of German descent; but there are also Irishmen, Americans, negroes, and men and women of every race among them. The Ohio law was amended in 1886, after much discussion; but the financial system there pursued is open to some criticism from Pennsylvania and Massachusetts.

Illinois comes next to Pennsylvania and Ohio in the number of its associations, which are nearly 300 in Chicago alone, and exceed 450 in the whole State. The valuable report of Professor Jenks of Galesburg, and the unique schedule prepared by him with great labor throw more light on the operation of these Illinois associations than his modesty has allowed him to mention. It appears that the 200 or more associations in Chicago alone have a much higher average number of shareholders than the 250 or so which exist in the rest of Illinois. Thus, while 16 Chicago associations average 589 shareholders, of whom 164, or more than 26 per cent., are women, the 37 associations outside of Chicago average only 244 shareholders, of whom only 54, or but little more than 22 per cent., are women. The loans to members in 24 Chicago associations average in a year $210,690; while in 53 other Illinois associations they average only $62,002. The average loan

to a member in Chicago is $1,329, in the rest of Illinois $710; while the whole amount of Chicago loans in 24 associations is $5,056,578, and in 53 outside associations $3,286,092. It is probable that the most prosperous associations made reports, so that the average of loans to the amount of $108,350 in each association is doubtless too high for the whole 450 in Illinois; but, if we call the average loan only $80,000 in a year, this would give for Illinois alone an aggregate of $36,000,000 as the yearly amount lent to shareholders by these associations. This is twice the amount of savings-bank deposits in the State, according to Professor Jenks; while the building associations are increasing their business much faster than the savings-bank business of the bankers of Illinois is increasing.

The early building associations mentioned by Professor Jenks as existing from 1849 to 1869 were rather speculative real estate companies than co-operative loan associations after the Pennsylvania model. Such began to be formed in Illinois after 1869, and the oldest now in existence dates from 1874. It was about the same time (1870–72) that building associations in Missouri began; and probably Indiana, lying between the two States of Illinois and Ohio, did not have building associations much earlier than 1870. The number in that State can only be estimated, and our member, Mr. McCulloch, does not attempt to guess at it; but we may set it down as between 100 and 200. From Iowa, we have no returns, and cannot reckon her building associations at more than 100. The first was formed at Burlington in 1870, the second and third at Keokuk and Oskaloosa in 1872.

Michigan seems to have had an earlier experience with these societies, and one which for some years previous to 1875 gave the legal and financial leaders of that State a very unfavorable impression of their nature and results. Consequently, the State law of 1877, under which perhaps 15 or 20 building associations now exist, was far less favorable to their formation than the laws of Pennsylvania, Ohio, and finally of Illinois. This state of things was changed in 1887 by the passage of a law more satisfactory to the association members than the old law had been. Under this new law, about 40 new associations have already been organized, so that the whole number in the State may be about 50. Mr. Laverne Bassett, of Ann Arbor, who has collected what information he could (in place of Professor H. C. Adams) about the Michigan associations, gives their average membership as 180, and their "average authorized

capital" as $2,367,000,— one of them having an authorized capital of $5,000,000, while a new and small association has but $100,000 nominal capital.

Minnesota, though later of development than Michigan, has a much larger number of building associations,— probably not less than 125 at present, and fast increasing. A well-known journalist, Albert Shaw of Minneapolis, writes, in the "History of Co-operation in the United States" (published at Johns Hopkins University), the following statement: "Several of the most flourishing building and loan associations to be found anywhere in the country are established in the neighboring cities of Minneapolis and St. Paul; and they have been the means of providing many hundreds of workingmen's families with pleasant homes of their own." He mentions eight of these associations in Minneapolis, the first of which began in 1874. In the whole State of Minnesota, as we are informed by a citizen of St. Paul, there are nearly 120 of these associations; and nearly or quite 50 of these are at St. Paul. Probably Minneapolis has 20 by this time. From 8,000 to 10,000 homes in St. Paul have been secured to their occupants by this new system of borrowing and guaranteeing. Whatever the figures of invested capital may be, they are changing so fast, from one day to another, that they give little real indication of the present state of things, still less of the accumulations that have really been made under this method of saving. As an experienced writer (M. J. Brown, of Philadelphia) says: —

It is fair to suppose that about one-half of the income received by building associations for dues, etc., is now being laid out on account of matured shares and withdrawals; for many of these societies are now maturing series of shares every six months or every year. The capital increases largely until the shares begin to mature; but, when that point is reached, new shares admitted from year to year do not contribute any more than enough capital to take the place of the older retiring shares. In the Philadelphia associations, the cash income is more than half the capital, which would indicate an enormous capital growth; but the outgo is largely for matured shares and withdrawals, resulting in almost a fixed sum for the capital. This is really a factor in favor of the societies, for they are now distributing millions of dollars every few months to the members who have been saving for years for some cherished object.

What is true of Philadelphia has long been true, in this respect, of Cincinnati, and is now true of Chicago and St. Paul. The num-

ber of associations reported in the last-named city three months ago was 45, with an average of 3,000 shares in each one, and an average value of $50 a share. Assuming that this is true of the 120 in the whole State, this would give an investment of $18,000,000 in Minnesota alone; but this may be an overestimate. The deposits in Minnesota savings banks hardly exceed $2,000,000; and the rapid growth of these associations has certainly checked the growth of savings banks there, as it has in Rochester, N.Y., in Buffalo, in Pittsburg, and in every State west of the Alleghanies.

From Wisconsin, we have no information leading us to suppose that there are 50 building associations in the whole State, although they began there in 1882 or earlier. In Minnesota, they began in 1869, though their great development has been since 1880. They exist in Nebraska, in Dakota, and in Montana; but from these we have no returns. In Kansas, they have lately made a very rapid growth, and now exceed 100 in that State.

ON THE PACIFIC COAST.

California has had these associations for some years, and for a time maintained a monthly newspaper devoted to their interests. In 1887 there were in California 11 building associations, with 30,000 shares and with assets of $2,595,488. This indicates large operations for each society, and points to a speculative element in the California associations, which is very apt to appear in that State or elsewhere when real estate speculations are going on actively. The reports of some of the California societies show average loans of $2,000, which is much above the Chicago rate and, we believe, higher than the Philadelphia rate. But we have nothing to prove that the California business is unsafely done; and there are few States where there is greater need of some method to increase the number of small estates owned by their occupants. From the other Pacific States and Territories, we have no returns at all.

GENERAL CONCLUSIONS.

From all information attainable by the committee there is no reason to doubt that there are now above 3,000, perhaps even 3,500, co-operative building and loan associations in the United States, and that they provide for the investment, at any given time, of not less than $300,000,000. The accumulated investments in the form of houses and land, which have been paid for by the

occupants or their families through the medium of these associations in a long series of years, must be much greater than $500,000,000. Twelve years ago, Mr. Doren, a competent authority, estimated this accumulation at $100,000,000 for Philadelphia alone, where the annual payments then exceeded $7,500,000. There must, therefore, be an accumulation in Philadelphia alone at this time of $180,000,000 at least; and in the whole country there are now more than six times as many associations as in Philadelphia. We may, therefore, safely estimate the whole accumulations made by the aid of building associations at from $500,000,000 to $750,000,000 in a period of forty years. The savings banks of our country have provided for far greater accumulations in the same period; but it must be remembered that they are much older than the building associations in the wealthiest portions of the United States. At the rate the building associations are now gaining, the time may come when their accumulated savings at any one time will exceed those of our savings banks, immense as Mr. Townsend's report shows that those are and will be.

It is doubtful if any system for savings has ever been devised which has such a tendency to produce frugality among persons of small income as the building association methods. There is nothing to repel and everything to attract such persons, who are paying rent or board, and wish to avoid doing so. Borrowing, which in the ordinary form is apt to discourage or demoralize the poor man, is here an incentive to industry and economy; for he must earn and save money to keep up his investment, from which he is taught to expect greater profits than are usually returned to him in cash. But the return he gets in relief from rent-paying is itself a profit, which also appears to his imagination greater than it commonly is. The excitement of betting, the pleasure of house-building, the companionship and competition which he finds in belonging to such a society,— all lure him forward in the way of economy. There are drawbacks and there are dangers in these petty financial ventures which in the aggregate are so vast, but these are no more than attend the usual investments of money. We must, therefore, expect such associations to increase in number and to absorb more and more of the earnings of the people; just as life insurance absorbs more and more of the surplus income of classes a little more prosperous than those who make up the great body of shareholders in the associations we have been enumerating.

4. REPORT ON SAVINGS BANKS AND BUILDING ASSOCIATIONS OF ILLINOIS.

BY PROF. J. W. JENKS, OF GALESBURG, ILL.

PART I.— SAVINGS BANKS.

(Read Sept. 7, 1888.)

Until the last session of the legislature, in 1886–87, Illinois had no savings-bank law providing for the establishment and management of Institutions for Savings under the supervision of the State, similar to those in many of the Eastern States. There existed previous to 1877 many so-called savings banks, organized under special charters granted by the legislature before the revision of the constitution in 1871; and several still remain. These banks (corporations managed of course for the benefit of the stockholders) receive savings deposits and pay a stated rate of interest (usually 4 per cent.) under the common savings-bank rules. The panic of 1873 and the subsequent depression in business, extending to 1877 or later, forced many of these banks into suspension, and in other instances dishonest management led to the same result. The following quotation from the Chicago *Evening Mail*, quoted in the *Tribune* for Dec. 5, 1885, shows the effect of the failures in Chicago: "Chicago has been practically without savings banks for the last ten years. The experience of our people with the last lot broke down public confidence in these institutions completely. The scandalous and dishonest management of five or six banks then in existence had the effect of preventing the establishment of successors when they went down, for it was plain to capitalists that time was necessary to heal the wounds inflicted by Spencer, Haines, Meyers, and the rest, and that savings banks, no matter how well they might be backed then, would not be trusted." The lack of confidence in all institutions that were called savings banks, and the absence of any provision for State supervision for those that still remained, doubtless had much to do with turning the attention of provident workingmen toward the Loan and Building Associations, and in part accounts for their wonderful growth in this State.

Owing to this lack of supervision, it is also extremely difficult to gather any information, except that of the most general character, regarding those banks that still do a savings business. There are in Illinois some twenty institutions that still are nominally savings banks. After diligent inquiry to get the names of all such in the State, twenty-four circular letters and blanks to be filled out were sent, asking for information. From only four were reports received that were at all satisfactory: the others either made no reply or else contented themselves with saying that they were not "regular" savings institutions, but did a general banking business. One bank "reports its condition and business only to the clearing-house." As not enough reports have been received to make a satisfactory generalization, no report on the banks as a whole can be made. The reports of two banks, the Dime Savings Bank, Chicago, and the Illinois Trust and Savings Bank, are given, that special features may be noted. The Dime Savings Bank is peculiar,—in this State,—in that it does no commercial banking; nearly all the so-called savings banks differing from other banks mainly in this respect, that they pay interest on small deposits. A very few others do no commercial banking. The Illinois Trust and Savings is the only bank in the State, it is believed, that is under State supervision. This bank has been organized under the law of June 15, 1887, entitled "An Act to provide for and regulate the administrations of trusts by Trust Companies," and, on account of its acceptance of trust funds, is made subject to examination by the State Auditor, and reports its condition to him annually, and at other times when desired by him. To strengthen its credit as a Trust Company, it regularly provides for an examination of its accounts and securities by the National Bank Examiner.

The Farmers' Trust Company of Chicago, by its sale of "Savings Bonds" for amounts as low as one dollar, provides a secure substitute for a savings bank, and one that is highly commendable for purposes of investment of small sums. Sums less than $25 payable in five years draw 5 per cent. interest; over $25, 6 per cent. Call bonds draw 4 per cent. All bonds for $25 or over are secured by mortgages on land worth at least two and one-half times the mortgages. The mortgages are deposited with the Merchants' Loan and Trust Company, Trustee, which holds them for the sole purpose of securing the payment of the principal and interest of the bonds, with full power, in case of default, to collect or sell the same, and with the proceeds to redeem the bonds.

It is difficult to estimate, with any degree of accuracy, the amount of money-savings deposited in the savings banks of the State; but it is probable that $18,000,000 is a large estimate. A detailed table, found in the Report of the Comptroller of the Currency for 1887, shows the condition, on June 30, 1887, of five banks doing a savings business in Chicago, and doubtless includes by far the largest proportion of such business done in Chicago. The table is compiled from unofficial sources. (See Report of Comptroller, 1887, p. 278.)

The outlook in Illinois as regards savings banks for the future is, however, much better than would appear from the showing given above. Soon after the failure of the banks in 1877, steps were taken toward the adoption of a savings-bank law similar to that of New York. A bill drawn by William Kelsey Reed, Jr., Treasurer of the Dime Savings Bank of Chicago, was finally, in 1881, introduced to the Illinois legislature by Senator Rice (Chicago *Tribune*, May 7, 1887). The bill was thought by some too voluminous; and, as it seemed best to have the subject well considered and understood beforehand, its passage was not urged. In 1883, the same bill, perhaps slightly modified, was unanimously recommended for passage by both the Senate and the House Committees on Banks and Banking; but so much time was consumed by the High License Liquor Bill that this bill was not reached before adjournment. Again, in 1885, though again recommended by both committees, its passage was hindered and prevented by the Senatorial contest of that year. Finally, in 1887, May 6, the bill was passed, and went into effect July 1, 1887. The end of the difficulty was not yet, however; for by many, including Governor Oglesby, who on that account refused to sign it, the bill was considered unconstitutional. The Constitution of 1870 prohibits the creation of a State Bank, and also requires all acts granting banking powers to corporations to be submitted to the people. The promoters of this law claim that this "Act to provide for the organization of Savings Societies or Institutions for Savings, for their supervision and for the administration of their affairs," and which expressly forbids such institutions "to transact any banking business, whether of issue, deposit, or discount," does not grant such banking powers; and that, in consequence, its submission to the people was not necessary.

The doubt regarding the constitutionality of the law has prevented, naturally, the organization of savings societies under its

provisions. One organization, the Chicago Society for Savings, has been formed to test the law; and the test case is now before the Supreme Court of the State. A decision is expected at the fall term of the court, September, 1888. As has been said, the law is founded upon the New York law, and in most particulars follows it closely; but one point of difference regarding investments should be noted. Somewhat more freedom is allowed the trustee. Besides the investments allowed in New York, money may be invested "in the stock or bonds of any city or county in the New England States, or in the States of New York, New Jersey, Pennsylvania, Ohio, Indiana, Michigan, Iowa, Missouri, Kansas, Nebraska, Wisconsin, or Minnesota, issued pursuant to the authority of any law of such States, provided the entire bonded indebtedness of such city or county shall not exceed 5 per cent. of the assessed value of the taxable property therein, as shown by the last assessment preceding the investment; in the mortgage bonds of any railroad company of approved credit, located in any of the States aforesaid, which has paid dividends of not less than 5 per cent. per year regularly on its entire capital stock for not less than five consecutive years next preceding each investment, and which are a first lien upon the railroad, pledged to secure the same; or in the consolidated mortgage bonds of any railroad company chartered by the State, authorized to be issued to retire the entire bonded debt of such company; or in the collateral trust bonds of any railroad company chartered in this State, where the underlying bonds pledged to secure them are a first lien upon the property mortgaged, provided that said company has paid dividends as aforesaid, and provided, further, that no savings corporations shall hold more than 10 per cent. of its funds in the bonds of any one railroad company, nor more than 25 per cent. of its funds shall be invested in railroad securities; in bonds or notes and mortgages on unencumbered real estate located in any of the States aforesaid, worth at least twice the amount loaned thereon, but not to exceed 60 per cent. of its funds shall be so loaned or invested, nor shall more than 30 per cent. of the whole amount of its funds be so invested in real estate outside of the State of Illinois; but, in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not exceed one-third of its actual value; and no investment in any bond or mortgage shall be made except upon a committee's report, charged with investigating the same, who shall certify to the value of the property

mortgaged or to be mortgaged, according to their best judgment, and such report shall be filed and preserved among the records of the institution."

Taken as a whole, the law is undoubtedly a good one, embodying the best features of the laws of the Eastern States; and, if its constitutionality were affirmed, it is to be expected that there will be a rapid development of the savings banks in Illinois.*

PART II.— BUILDING AND LOAN ASSOCIATIONS.

From an article in the *American Building Association News* for April, 1886, we learn that the first building association in Illinois or the West was the Chicago Building Association, organized in 1849. From an association in Beverly, Mass., a plan of organization and management was secured, and with this as a model they conducted this association for some two years without a charter. At length, Feb. 1, 1851, a charter was granted by special act of the legislature, and the previous acts and securities of the association were legalized. A second association was organized at Jerseyville, Ill., in 1852, another in Chicago in 1857; and from that time on the number increased with great rapidity. Many associations were granted charters by special acts of the legislature before 1869, when the first general law in Illinois for the government of building associations was enacted. The purpose of building associations and the methods of conducting the business in 1869, if one may judge from the law, were materially different from those of the present. We read that a number of persons may form themselves into an incorporated company for the purpose of accumulating a fund for the purchase of real estate in large tracts, the paying of encumbrances thereon, the improvement thereof into lots and parcels suitable for homesteads, and the distribution of such lots or parcels among the shareholders, or to aid its shareholders in

* It will be seen by this paragraph in the Chicago *News* that the decision regarding this law is unfavorable: "Springfield, Ill., Sept. 27, 1888.— Among the decisions filed in the Supreme Court to-day was one declaring unconstitutional the savings-bank law passed by the last legislature. The court seems to look upon it as an attempt made to disguise under a great many words an unconstitutional measure. If any sort of a banking law is to be adopted in this State it must be first submitted to a vote of the people and be ratified by a majority vote at a general election." It is understood that this same bill, with a provision for its submission to a vote of the people, will be presented to the legislature again at its coming session. It seems probable that it will be passed; and there is good reason for the belief that the people also would favor it, if the question be properly presented to them before election. It is of interest to note that the Supreme Court considers Savings Societies as essentially banks, even though their aims and methods are so different from those of ordinary banks.

acquiring real estate, making improvements thereon, and removing encumbrances therefrom. The time of the existence of such corporations was limited to ten years. Loans were made to their own members, or money not needed for immediate use might be loaned to others. Yearly statements of the condition of the association were to be published.

In 1872, a law founded on the Pennsylvania law, and substantially a transcript of it, was passed to supersede the law of 1869. Two years later, it was repealed,* at the instance of the savings banks, if one is to credit the belief of leading building association men. In 1879, the present law, substantially that of 1872, was enacted; but in the interim some associations had been started with charters issued before the repeal of the former act, many having been issued at that time to speculators. In the year 1880, a member of a building association at Monticello refused to pay his loan, charging that the transaction on the part of the association was usurious, and that the act under which the association was founded —that of 1872 — was unconstitutional. The section of the law objected to was the following: "Corporations organized under this act, being of the nature of co-operative associations, therefore no premiums, fines, nor interest on such premiums that may accrue to the said corporation, according to the provisions of this act, shall be deemed usurious, and the same may be collected as other debts of like amount may be collected by law in this State." In the lower court, this objection to the law was sustained, and the act declared unconstitutional. The association appealed to the Supreme Court, where the decision was affirmed. Though at that time only some twenty associations were doing business in the State, yet the new law of 1879 had made the outlook for associations very promising, and "the associations then existing saw the necessity of protection. By hurried correspondence, a meeting was called. Fourteen associations met and formed a union, procured legal talent, and, by hard work and a proper showing before the Supreme Court, were granted a rehearing of the case, and finally succeeded in getting the former decision reversed."† The opinion, filed Sept. 30, 1881, takes the ground that "a loan made by a member of a Building Association, according to the rules of the association where the member desiring to raise money bids as a

* Argument of H. V. Freeman, in support of petition for rehearing of Holmes and Monticello Building Association *vs.* Smythe, p. 18. "The savings banks of this State are currently reported to have procured the repeal of our law of 1872." So also others in conversation.

† Circular letter of president of Building Association League, May 15, 1885.

premium a certain amount on his shares, is in the nature of a sale of his shares, and not usurious." *

This opinion marks an era in the history of building associations in Illinois,— not only because they then were surely established on a legal basis, but also because this case called into existence the Illinois Building Association League, which has done much to further the interest of associations in this State, and promises to do more in the future. As has been said, but fourteen associations met to form the League, and but twelve were engaged actively in getting the rehearing of the case, which resulted in the firm establishment of the associations. So, too, though the League has continued its existence for "the protection and defence of building association interests," according to its constitution, the number of members has always been small — never exceeding twenty associations — until the last meeting, in June, 1888, when the membership was increased to thirty-two associations. The League has been at different times active to secure legislation that would put the associations on a firmer basis; and, at the last session of the legislature, by the exertions of the officers, two amendments to the law were passed. The first authorizes the monthly payment of premiums instead of the deduction of the whole amount from the loan. Some associations had already adopted this plan, but without authority of law. The other amendment exempts association stock and mortgages from taxation. Besides the State League, a Cook County Building Association League has been organized for the purpose of advancing the interests of the associations in Chicago and vicinity. The purpose of this league is not merely to recommend such legislation as may seem advisable and to consult once a year regarding methods of management, but it is proposed to hold monthly meetings, in which important questions of management shall be discussed. Such subjects as "Methods of computing Profits," "Trust Deeds and Mortgages," "Officers' Bonds," "Insurance on Vacant Buildings," "State Inspection," etc., are to be discussed in the near future, and recommendations made to associations in accordance with the decisions reached.

It is understood that nearly all the members of the Cook County League and many at least of the State League favor State inspection of the associations. There can be no question that not a few associations are managed by men not trained in business methods,

* William M. Holmes and Monticello Building Association *vs.* Smythe.

who are really incompetent to manage such a business. That some control should be exercised over such associations in the interests of the diligent, frugal working-people whose savings are thus invested seems clear.

It is much to be desired, also, that in addition to State inspection the law be still further so amended as to require yearly reports from all associations to a State official, who can then publish the statistics regarding the associations of the State. It is uncertain whether the League will receive enough support from the active associations to enable it to collect and publish reliable statistics and other information that will be valuable to associations throughout the State.

In the preparation of this report, the president of the State League furnished me some valuable notes regarding the history of the League; and many valuable suggestions have been made by the secretaries of the different associations. But it has been necessary, in the absence of reliable statistics, to depend mostly upon voluntary answers to circular letters accompanied by blanks for filling out.

Of the 258 associations in Chicago listed in the *American Building Association News* there are, doubtless, considerably more than 200 in active operation. Of these, it was possible to get the addresses of only 161. To the 161, then, blanks were sent. Of these, 25 sent replies in time for listing, which will be found tabulated in Schedule I. Blanks were sent to 289 associations outside of Chicago,— all that could be found. From these were received 53 replies, tabulated in Schedule II. So, from the 450 circulars, only 78 replies were received in time for listing. From these, no very accurate conclusions can be reached regarding the aggregate amount of the business done; but some idea of the average may be gained, and the figures, as well as the distinctive features of some of the associations, will be found suggestive.

In the first place, it is worthy of note that more than one-third of the stockholders are women, and that the average loans made are such as to show that it is principally the smaller wage-earners who are receiving the benefits of the associations. While, in the larger cities, an occasional loan of $10,000 and upward is made, loans even so large as this are rare. The high premium bid, in most of the associations, while it tends, of course, to make large profits for the non-borrowers, shows, nevertheless, that the demand for money is strong, and that the associations are really accom-

plishing their mission of helping those who wish to build homes. It is further to be noted that some of the later associations are taking measures to prevent the purchase of shares by non-borrowers, so that the objection in such cases to the high premium loses force to a great extent.

It is evident that the question regarding the rate of expenses to management was misunderstood by many of the secretaries, so that no comparison —*e.g.*, with savings banks — can be made in this respect. Also, the word "limited," applied to the plan of organization, has been understood by some to refer to amount of capital stock; by others, to duration of charter, etc. It is probable that *very few*, if any, associations are organized on the "limited" plan, contemplated in the law of 1869, by which stock was not issued in successive series. The oldest association in the State is the People's of Chicago, which was organized in 1874. Since the days of the "limited" associations, much improvement has been made in the methods of management, and new features are found in many of the later ones. Nearly all changes are, as they should be, in the interest of the borrower. Instead of deducting the whole premium from the face of the loan, as was common, it is now usually paid by instalments. So, too, in comparatively few associations is the first year's interest deducted from the face of the loan.

Some of the larger and later associations, again, — see, for example, the Phœnix of Chicago,— do not permit stock not borrowed on to mature, but after four years call it in and cancel it, paying a fair rate of interest and applying the surplus profits to reduce the interest on loans. Similarly, the Home Building Association of Rockford applies surplus funds in calling in stock not borrowed on in order of its issue, without waiting for it to mature, though in this case no four years' limit is fixed.

As has been said, from the returns made no reliable estimate can be made as to the amount of business done in the State, or even in the city of Chicago. It is probable that, on the whole, it is the larger and more prosperous associations that have made returns, so that, if we were simply to increase the total amount of loans in proportion to the number of associations, we should be shooting far beyond the mark. This much, however, is certain. In the city of Chicago alone, the amount of loans runs far up into the millions; and many thousands of houses have been built through the aid of the associations. Still further, it is beyond

question that the number of associations is increasing very rapidly, and never so fast as at present. The size of the new associations, also, is much greater than the older ones in proportion to their age. At the present rate of increase, a few years will see Chicago a city of home-owners to as great an extent as any city in the country. Already it stands high in this regard. What is true of Chicago holds true to nearly or quite as great a degree of the State as a whole. The tendency is one that is very encouraging. It is certain that, when workers own homes, steadiness, morality, and thrift are encouraged, and lawlessness is held in check. Very cheering is it to note that not merely do some of the larger associations find it necessary to print reports in German and other languages as well as in English, but that there are several associations in Chicago managed and patronized solely by the Bohemians, Poles, and foreigners of other nationalities. When they *fix* their homes with us, their interests will soon lead them to learn our language and to respect our laws.

SCHEDULE A.

REPORT OF TWO SAVINGS BANKS.

		Dime Savings Bank.	Illinois Trust and Savings.*
1.	Name of bank,		
2.	Date of organization,	April 1, 1869.	June 25, 1870.
3.	Amount of stock,	$50,000.	$500,000.
4.	Number of stockholders,	22.	33.
5.	Number of directors,	7.	9.
6.	How are directors chosen?	Ann. by stockholders.	Ann. by stockh'ld'rs.
7.	Total assets, value about	$315,000.	$8,566,365.32.
8.	Total liabilities,	$297,686.94.	$8,566,365.32.*
9.	Number of depositors,	3,000.	13,090.
10.	How large sums may be deposited?	$3,000.	In savings dept., $5,000.
11.	(*a*) Largest deposit,	$3,000.	$5,000.
	(*b*) Smallest deposit,	10 cents.	$1.00.
12.	Total amount of deposits,	$245,686.94.	$3,700,000 savings, $7,601,119 in all.
13.	Rate of interest paid,	4 per cent.	4 per cent.
14.	Rate of expense of management to gross receipts,	Not known.	15 per cent.
15.	How often do directors examine accounts?	*Ad libitum.*	Semi-annually.
16.	Amount invested in, or loans on,		
	(*a*) State bonds,	None.	$6,452,657.45.
	(*b*) United States bonds,	1,320, face 4 per cents.	
	(*c*) County, city, or village bonds,	$6,742.27.	
	(*d*) Railroad bonds,	6,000 C., B. & Q.	
	(*e*) Railroad stocks,	$23,900.	
	(*f*) Real estate mortgages,	Face val., $116,763.75.	
	(*g*) Corporate personal security,	$1,491,95; on collaterals, $12,420.38.	$808,850.79.
	(*h*) Bank stocks,	$54,206.86.	
17.	(*a*) What limit to personal loans?	None taken practically.	None taken practically.
	(*b*) How many sureties required for personal loans?	None taken practically.	None taken practically.
18.	In loans on real estate, what per cent. of valuation do you loan?	Not over ½, generally ⅓.	½.
19.	Amount deposited in other banks,	$30,964 82.	
20.	Cash on hand,	$10,314.87.	$1,276,966.53.
21.	What special features of management have you?	Exclusively savings & Safe Deposit vaults, value about $50,000. Do no commercial banking.	State supervision.

*Twenty-ninth semi-annual statement of the Illinois Trust and Savings Bank, June 30, 1888:

RESOURCES.			LIABILITIES.	
United States Bonds, at par, . . (M'ket val. of same, $641,763.00)	$500,400.00		Capital stock, ...	$500,000.00
Other bonds and premiums, . .	991,180.00		Surplus fund, ...	368,916.20
Real estate, ...	27,891.34		Undivided profits, ...	96,330.01
Cash and exchange, ...	1,276,966.53		Due depositors, ...	7,601,119.11
Loans on demand, $3,448,585.36				
Loans on time, 1,512,492.09				
Loans on real estate, 808,810.00	5,769,927.45			
	$8,566,365.32			$8,566,365.32

RECENT NEWS FROM BUILDING ASSOCIATIONS.

The Chicago *News* of Sept. 26, 1888, prints the following report of a meeting the day before to form a county league of associations in Chicago and its neighborhood, which will be found of interest in this connection: * —

The second meeting of delegates from the Loan and Building Associations of Cook County was held yesterday at the Grand Pacific for the purpose of completing the organization of a county league. William F. Weimers acted as chairman, and delegates from the following associations were allowed a voice in the proceedings: Chicago City and Savings, Commercial, North-western, Metropolitan, G. A. R., Domestic, Golden Rule, Douglas Park, Freehold, Humboldt Park, Deering, West Division Street, Phœnix, Illinois, Eagle, Lafayette, New Fort Dearborn, Lake Shore, South Chicago, Lake View, Rothmaener, Blue Island, Schiller, Royal, South Park, Ashland Avenue, Mutual, Union Savings, Lemont, Village, Western Springs, Conservative, Prairie State, Mutual Union, Suburban, Cook County of Chicago and Lake View, Christopher Columbus, Victor, National, Reliance, Lake, Hyde Park and Chicago, Fifth Ward, Lincoln, and Free Home.

The chairman called for the report of the committee on permanent organization appointed at the meeting of July 10. This committee, consisting of C. L. Bonney, H. Cragg, F. C. Gehrke, E. T. Noonan, R. H. McMurdy, Oscar Rabe, O. M. Brady, and W. F. Weimers, reported that it had secured a charter from the Secretary of State for the incorporation of the "Cook County Building Association League," and had prepared a set of by-laws, which it submitted. The committee suggested that subjects for the early consideration of the league would be "State Inspection of the Associations," "The Present Mechanics' Lien," "The Establishment of Reciprocity between the Associations in the Use of their Funds," "The Possible Establishment of a Mutual Bank," and "Insurance."

This report was warmly discussed, many delegates thinking that the committee had exceeded its powers in securing a charter. It was finally laid over until the next meeting, to be discussed *seriatim*. A resolution offered at the former meeting declaring in favor of State inspection was reported back without recommendation by the same committee, as it was evenly divided on the question. After some further talk and much confusion, the convention adjourned to meet on the third Wednesday in October.

The objects of this league, as stated by the committee and by individual members, are to secure favorable legislation, to place all associations under the inspection of a State official, and to promote the general welfare of the members. It is said that many of the associations do not conform strictly to the State Law, this

* This is the Cook County League mentioned above by Prof. Jenks.

being especially true of new societies that desire to offer special inducements. Mr. C. L. Bonney of the Douglas Park Association thinks that the chief aim of the league should be to secure the passage of a bill placing the associations under the inspection of a State official, as many of them carry on a very lax system of book-keeping and should be compelled to make a financial statement every six months. In regard to the State league, Mr. Bonney says that it did not hold a meeting for about two years, and was making no progress toward securing a State inspector. Mr. Bonney also thinks that some banking scheme might be devised, as the associations in this county alone are said to have an invested capital of about $8,000,000, and many of them could loan to others needing money. While it is not probable that all the associations will join the league, there are about two hundred in the county, and the league will no doubt be an assured fact.

The Boston *Herald*, which has several times published full accounts of the Building Associations of New England, gives the following details of news concerning them in its issue of Nov. 25, 1888:

The growing interest in co-operative banks and the constant demand for more shares than the existing Boston banks can issue according to law are certain to result in the formation of several more associations in this city at an early date; and a movement is at present on foot to start a bank at the West End, with a prospect of its speedy incorporation. At the regular meeting of the Board of Directors of the Workingmen's Co-operative Bank of Boston, on Friday, November 23, the report of the business for the past six months was presented. Out of the net profits, after crediting 1 per cent. to the guarantee fund, the directors were enabled to pass to the credit of the shareholders a dividend at the rate of 7 per cent. per annum and leave a good sum for the surplus account. New shares in the 18th series are now on sale.

The second annual report of the Reading Co-operative Bank shows the condition of the institution as follows: Assets, 27 loans on real estate, $23,585.00; 15 loans on shares, $1,205.00; cash, $3,663.88; balance permanent expenses, $84.41; suspense, $98.08; total, $28,636.37. Liabilities, shares, $26,811.00; profits, $1,537.67; forfeited share, $77.02; guarantee fund, $47.01; surplus, $163.67; total, $28,636.37. The present number of shares is 1,519, of which 1,279 are free and 240 pledged. Present number of members, 320, of whom 283 are non-borrowers and 37 borrowers. The earnings the past six months have been at the rate of 6½ per cent. per annum. Shares in the 5th series are now on sale.

The New Bedford Co-operative Bank shows earnings the past six months at a 6½ per cent. per annum rate. The semi-annual statement of the bank gives these figures: Assets, loans on real estate, $170,625.00; loans on shares, $9,005.00; unpaid dues, $664.00; personal account, J. S., $314.52; personal account, P. E., $14.91; cash on hand, $9,856.02; total, $190,479.45. Liabilities,

shares, $185,168.62; loans not yet fully paid, $3,476.10; personal account, F. W. T., $2.00; reserve fund, $1,112.79; forfeited share account, $9.06; dues paid in advance, $256.00; profit and loss, $446.88; other liabilities, $8.00; total, $190,479.45. The present number of shares is 4,104, and present number of members 608, of whom 173 are borrowers and 435 non-borrowers.

The preliminary steps have been taken for the organization of a co-operative bank in North Adams, Mass.

In less than six months, the Star Building and Loan Association of New York has secured homes for eleven of its members; and all of these fortunate house-owners now admit that, but for the association, they would still be contributing a large percentage of their earnings to landlords.

The *Building and Loan News* advocates the adoption of the insurance principle by building and loan associations. It says: "Many are deterred from joining a building association for fear that, if anything should happen them, their families would be unable to continue the payments. But if they had a policy on their lives, enough to cancel their obligations, they need have no fear of disaster. Building loan associations could combine their system and that of insurance with good results."

A citizen of Atlanta writes that there is a regular boom in building associations in the Georgia metropolis. He says: "Atlanta workingmen are following the example of their brothers in the North and West, in the matter of securing homes for themselves; and most of the dwelling-houses which have been built during the past five years have been built with money borrowed from building and loan associations. At present, many buildings are going up in various parts of the city, and these will soon belong to the members."

The Equitable Co-operative Building and Loan Association of Brooklyn, N.Y., has been organized only four months; but it has loaned to its members in that time to purchase or build homes $39,500.

Mr. Henry S. Rosenthal, of Cincinnati, the author of a valuable work of two hundred and fifty pages, just published by S. Rosenthal & Co., Cincinnati, states the number of Building Associations in Ohio as 750,— considerably more than the Committee estimated on page 120. Of these, 400 are in Hamilton County, and 325 of the latter in Cincinnati. In Indiana, he estimates the number at 325, and in Maryland more than 500; the latter being his estimate for Baltimore alone. Except for Ohio, it is probable these are over-estimates; as also is Mr. Rosenthal's estimate of 5,000 for the whole country. My latest estimate (Dec. 7, 1888) would be 4,000; but at least one or two associations are formed every week-day at present in the whole area of the country, so that 5,000 will soon be the number.— EDITOR OF SOCIAL SCIENCE JOURNAL.

5. CO-OPERATIVE BUILDING AND LOAN ASSOCIATIONS IN THE STATE OF NEW YORK.

BY SEYMOUR DEXTER, ESQ., OF ELMIRA, N.Y.

The topic assigned to me is the number and success of co-operative building and loan associations of New York. The term "co-operative building association," I assume, is intended to be generic in its application; that it includes the building-loan association, the mutual-savings loan association, the co-operative savings and loan association,—in short, all associations whose scheme of transacting business is based upon the following general plan: namely, the issuing of shares of stock to members, upon which they make weekly or monthly payments (such payments being usually called dues) until the sums paid, increased by the dividends added to them, reach a certain sum, called the matured value of the shares of stock. The money thus received is loaned only to shareholders, and in sums corresponding with the matured value of a share or a multiple thereof; and each stockholder who can give the required security has an equal right with every other stockholder to borrow the moneys of the association. No stockholder can borrow a sum exceeding the matured value of the shares held by him, and the money is offered to stockholders desiring to borrow at stated weekly or monthly meetings. In all cases where there is a competition for the loan among those desiring to borrow, the right to the loan is determined by the bidding of a premium, and is awarded to the highest bidder. In some associations, a minimum premium is required. The premium bid may be a certain sum per share, which is deducted from the loan when the security is given, this being called the "gross plan." Or it may be a certain sum per share to be paid in weekly or monthly instalments with the interest upon the loan and the dues upon the stock. This is called the "instalment plan." Or it may be a bidding upon the rate of interest to be paid upon the loan. This is called the "interest-premium plan," interest in all cases to be paid weekly or monthly at the same time that the dues are paid

Fines are imposed for a default in the payment of dues or interest when payable.

The security required is a bond secured by first mortgage upon unencumbered real estate, or a pledge of the stock of the association, upon which the dues already paid and the dividends which have been added thereto make their value greater than the amount of the loan,— and also further secured by a pledge of the shares borrowed upon. The profits of the association are derived wholly from interest paid upon its loans, premiums paid for loans, fines collected from stockholders defaulting in the payment of dues or interest, entrance fees required upon issuing stock, transfer fees required when the stock is assigned, and profits left by withdrawing stockholders. These profits are divided, annually or oftener, among the shares of stock outstanding at the time of distribution, each share having a dividend added to it in distributing the profits, and such dividend being the same proportionate part of the total profits divided as the value of the share to which it is added bears to the total value of the shares among which the distribution is made.

Whenever a share upon which no loans have been made (called a free share) has reached its matured value, the share of stock is surrendered, and the association pays to the shareholder the matured value. Whenever a share matures which has been borrowed upon (called a borrowed share), the share of stock cancels the loan. There may be a single series of stock issued, in which case members coming into the association after the first issuing of stock must pay back-dues, to place them in the same condition they would have been had their stock been taken at the first meeting, all shares at all times being of the same value. When the stock reaches its matured value, all stockholders will be borrowers to the amount of their stock. The stock cancels the loans, and the association ends. This is called the "terminating plan." Or the association may be so organized that it may issue its stock in series yearly, semi-annually, or oftener, in which case the association may be perpetual, and is known as the "permanent or serial plan." Stockholders may withdraw at any time upon giving a certain notice, whenever there are funds applicable for such purpose. They surrender their stock, and receive the dues paid by them and a certain percentage of the profits.

There are a great many variations in the detail of this general outline among different associations. These variations consist

largely in the value of the matured share,— such as $100, $105, $125, $200, $250,— variations in the rate of interest charged, in the frequency of the payment of dues and the amount paid, and the manner of receiving them by the association (whether by some officer at his office or by the board of directors or its committee at a regular stated meeting); also, in the matter of the premium charged and the time of its payment.

The number of associations of this class in this State at the present time there is no mode of ascertaining with absolute accuracy, except by a canvass of each locality in the State; but the number approximates 275 very closely. Of this number, about 100 are located in Buffalo, 83 in Rochester and the immediate vicinity, 30 in the city of New York, 18 in Brooklyn, 4 in Westchester County, 1 in Albany, 2 or 3 in Syracuse, 1 in Utica, and 2 in Elmira.

There are at present two general acts upon the statute books of the State under which these associations may incorporate. The first is chapter 122 of the Laws of 1851, entitled "An Act for the Incorporation of Building, Mutual Loan, and Accumulating Funds Association." The second is chapter 556 of the Laws of 1887, and is entitled "An Act for the Formation of Co-operative, Savings, and Loan Associations." The act of 1851 outlines no definite scheme for conducting the business of the association. One must be acquainted with these associations before he examines the statute, to form a correct idea of the nature of the associations of which the statute authorizes the incorporation. It is so broad and general in its terms that it permits of the incorporation of an association upon any scheme heretofore devised or which may be hereafter devised for conducting the business of this class of financial corporations, whether the scheme be good or bad. No provision was made for State supervision. It provides that those who unite to form such associations shall adopt articles of association which, in fact, constitute the charter of the corporation, and describe the scheme upon which its business shall be conducted, but does not even require that these articles of association shall be filed in any other office than the clerk's office of the county in which its business shall be conducted.

In 1875, an act was passed placing them under the supervision of the superintendent of the banking department and requiring annual reports, and that the superintendent should examine them or cause them to be examined by some person appointed by him once in two years. In 1878, however, the last provision was

amended by simply making it his duty to make examination when requested by the stockholders so to do. Notwithstanding that annual reports are required by the statute, and have been ever since 1875, in such form and by such officers as the superintendent shall require, they have not, as a rule, been made. The present superintendent wrote me recently that not over twenty-five associations had reported in 1888 and a less number in 1887.

The act of 1887 outlines a definite scheme, corresponding very closely with the co-operative bank scheme of Massachusetts, the statute itself taking the place of the articles of association under the act of 1851. Eighteen associations have been organized under these provisions, located in various parts of the State.

In regard to the success of such associations as a class, until we come down to those organized quite recently, reliable data are not obtainable, except by going into each locality where associations have existed and making investigations. I am informed upon what seems credible authority that the first association organized in Buffalo was about twenty-five years ago,— that there was a greater number in Buffalo ten years ago than to-day. The first association in Rochester was organized in March, 1852. Its success did not meet the expectations of its members; and, after a short time, it was closed up, and ceased to do business. The second was not formed until April, 1871. For some years after this, their numbers increased rapidly; and they were comparatively successful. But, during 1871 and 1872, some "building lot associations" were incorporated under the same act of 1851, which were speculative, to some degree at least, in character, and which, in many cases, proved disastrous to the shareholders. These were confounded in the public mind with the true Building and Loan Association, and chilled for a time their growth and prosperity. It was not until 1882 that they began to increase again, since which time their growth and seeming success in Rochester have been phenomenal. Charles W. Mead, of Albany, writes me: "There is but one association in our city, organized in May last. When I first came to Albany, in 1871, there were two or three savings and building associations — so called — in the last stages of existence. One of them, I have since been told, terminated, and its accumulations were distributed; and the results were fairly satisfactory to its members. The others suffered from improper and unfortunate investments (not being limited to first mortgage investments), and, as a consequence, lost heavily; and the members have now a natural distrust of this class of associations."

An association was organized about 1870 at Elmira, N.Y., upon the terminating plan, which continued fairly prosperous for six or seven years, when many of the borrowers of the association became dissatisfied with it, and its affairs were wound up by mutual agreement between the shareholders. Another association, not long after 1870, was organized at Waverly, which was closed up by mutual agreement of its stockholders before its shares had reached their natural value.

So far as we have been able to learn in our investigations, all the early associations in this State, and nearly all down to the present decade, were organized upon the "terminating plan," as to the manner of issuing their stock, and upon the "gross premium plan," with a system of rebates in the premium paid, on the payment of a loan. As a rule, these associations, before the time was reached for the maturity of their stock, ceased to be popular with the shareholders. Yet, when well managed, and borrowers were not influenced to bid too large a premium in their competition for money, they were successful and of benefit to the shareholders. In theory, a loan to a shareholder was an advance to him upon the matured value of his share,— that is, he received, at the time he made his loan, the matured value of his share of stock borrowed upon; while the shareholder who did not make a loan had to wait for the accumulations of his savings until his share matured. And it was held right and proper that the shareholder who had thus the matured value of his share advanced to him at the beginning of the association should pay, besides interest, a premium therefor; and that such premium should be regulated by the number of years in which he was to enjoy the use of the money so advanced to him, before the shares of stock upon which the loan was matured. Generally, before the stock matured, the early borrowers clearly perceived that the premiums they paid simply amounted to paying a large interest for the money borrowed, or, as it was then called, advanced to them; and, if the real estate in which they usually invested the money did not advance in value, they became dissatisfied, and the association ceased to be popular with them or their friends.

Another fact is pertinent. In this class of associations, the "gross plan," with a system of rebates, is too complex for the ordinary shareholder to comprehend at first; and when at last he comes to clearly understand it, if he is a borrower, he is apt to go to the other extreme, and regard himself as robbed by the share-

holder who does not borrow. These influences caused the associations working upon the scheme then in vogue, for the first thirty years of their existence in this State, usually to fall into disrepute by the time they were five or six years of age; and, as an association matured its stock or was closed up by mutual arrangement among its stockholders, no new one was organized to take its place. Buffalo and Rochester may be fairly counted as exceptions to this rule. The formation of associations was sporadic in character during this period. The act of 1851 furnished no guide. There was no current literature circulating in regard to them, and no books obtainable that were of service. As a rule, they were only formed as some person favorably interested in one, in a certain place, moved to another place where there was none, and became interested in the formation of a new association with reference to some pecuniary benefit to himself.

In 1882, the Homestead Loan Association of Rochester (organized in 1881 on the "terminating plan") made such changes in its articles of association as to place it upon the "permanent plan," with the matured value of its shares $105; weekly dues, twenty-five cents, ten cents a week interest on each share loaned upon (being a fraction less than 5 per cent. interest); the premium bid for loans was deducted from the amount loaned, and no rebate allowed if the loan was paid before the stock matured. It adopted one feature which does not properly belong to such associations; viz., of allowing stock when it has matured to remain unpaid, when the association deems it advisable so to do and the shareholder does not elect to withdraw it, and paying to the holder a cash dividend semi-annually. This association has been eminently successful; and according to its sixth annual report, issued Oct. 7, 1887, it had 1,506 shareholders, of whom 261 were borrowers. It had outstanding 17,512 unmatured and 502 matured shares. Its assets amounted to $270,266.51, and it claimed to be the largest association in the State. In several cases, new associations, formed along the line of the New York Central Railway, have adopted this association as a model.

One of the oldest, if not the oldest association now doing business in this State, was formed at the city of Elmira in 1875, and called "The Chemung Valley Mutual Loan Association." It was organized upon the scheme of issuing a yearly series of stock; the matured value of shares, $200; dues, $1 a month; interest at 6 per cent. In the matter of premium, it adopted the "gross

plan," with the rebate system; and a minimum premium bid of $40 upon a share. It assumed eight years as the time in which its stock would mature. In case of competition among the borrowers, the highest bidder for the loan, above $40 per share, obtained the loan. In case the borrower repaid the loan before the shares matured, he was allowed a rebate upon the amount of premium he had paid, of one-eighth for each whole year unexpired of the eight years from the time the stock was issued upon which the loan was made. It loaned only to its shareholders, and to no shareholder a greater sum than the matured value of the shares held by him. The issue of stock in the first series was limited to 1,000 shares, and thereafter to 500 shares, in each series.

This association was popular, and its stock was eagerly sought for: it could have issued a much larger number of shares except for the limitation in the articles of association. At the end, however, of four or five years, its prosperity began to flag. Borrowers began to appreciate that they were paying an enormous interest, of which free shareholders obtained the benefit. Moneys accumulated in its treasury. To relieve the stagnation, the minimum premium was reduced to $20 a share. But this did not help the difficulty; and finally, seven years ago, the articles of association were amended, wholly abolishing a minimum premium. From that time to this, when there is no competition, the borrower receives his full $200 a share upon his loan, and pays 6 per cent. interest thereon in monthly instalments.

From that time the association began to grow in popularity. It found no difficulty in finding borrowers for its money. The numbers of its stockholders rapidly increased. Some three years ago it increased the maximum limit of shares which it might have outstanding at any one time to 5,000. Already it could have passed beyond that amount except for the limitation. Its management discourages the bidding of high premiums; and under its scheme every borrower understands that the premium bid by him is, in fact, a bonus. Its annual report for March, 1887, showed loans made during the year to the amount of $40,750, while the premiums received amounted only to $62. In 1888, it loaned about $60,000; and the premiums received amounted to $232. Since it has conducted business upon this scheme, every shareholder remains its warm and enthusiastic friend, whether he be a borrowing shareholder or a free shareholder. Its first series of stock matured three years ago; and since that time it not only issues, but ma-

tures a series of stock each year. At least 95 per cent. of its shareholders are wage-earners. It has at present over 500 different shareholders, and assets of about $200,000.

The act of 1887 was drafted by a gentleman who has been president of that association from its organization; and the scheme upon which it is now conducted is crystallized into that act with certain changes, which he deemed improvements, thereon. Instead of "Building and Loan Association," the name given to these associations by that act was "Co-operative Savings and Loan Associations," that name more accurately describing the true nature of the institution in the present condition of our social development. The passage of this act attracted attention to this class of associations throughout the State.

For a few months previous to the enactment of this law interest in these associations began to be aroused in the city of New York and vicinity. About two years ago the publication of a monthly paper was commenced in the city of New York,— *The Building and Loan News*. It served as a channel for the exchange of views between those interested in this class of institutions; and its publisher and his friends have done much during the last two years to arouse interest in building associations. About the same time the New York *World* became their friend; and an association was formed within the limits of its own employees, which thus far has met the expectations of its most sanguine friends. The New York *Star* is a most valuable champion of these associations. Mr. Charles F. Southard,* connected with that paper, has become a conspicuous leader and writer in the city of New York in advancing their interests; and he is doing faithful work in their behalf.

During the last year there has been what may be called a regular "boom" in the organization of these associations in the cities of New York, Brooklyn, and vicinity; and it is now spreading throughout the entire State. In May last, a meeting of representatives from the different associations of this class throughout the State was called at Rochester, for the purpose of organizing a State League. About seventy associations were represented in the meeting, and a League was perfected. The object of this League is to combine the influence of the associations throughout the State; to prevent hostile legislation; and to weed out associations that have been formed under the act of 1851, in pretence

* Mr. Southard is no longer (November, 1888) connected with the *Star*, but is lecturing on the best plan of such associations.

claiming to be co-operative building associations, but which are in fact organizations for the purpose of making money for those who are immediately concerned in their management. We are also advised that the superintendent of the banking department has become interested in their behalf, and that at the coming session legislation will undoubtedly be passed which shall effectively place them under State supervision and control.

In conclusion, it can be said that these associations are now meeting with great success in the State of New York. Public attention is so strongly drawn to them that without doubt there will rapidly come a unification of the schemes upon which they are conducted; and we believe they have before them a prosperous future. We believe there is no financial co-operation of any kind which can be so utilized as an economic power in our social organization to advance the condition of the wage-working classes as these co-operative savings and building loan associations. To secure this result there should come to pass through the legislature a scheme, uniform in its essential features throughout the State, upon which their business shall be conducted; and State supervision similar to that exercised over savings banks. In the scheme adopted, three fundamental principles must be adhered to:

1. Simplicity of the scheme. It must be so simple that the ordinary wage-worker can understand it.

2. Equity between the borrower and the non-borrower; the borrower obtaining his loan at legal rates of interest, and the non-borrower receiving a higher rate than the savings bank can pay.

3. Security against loss of the funds. The danger against loss is reduced to the minimum when the funds are loaned only upon a bond with first mortgage security upon unencumbered real estate, or secured by stock of the association which exceeds in value the sum loaned.

It is not difficult to follow these principles. They have been followed in the scheme outlined in the act of 1887 in this State. They have been closely followed in the Massachusetts scheme of "co-operative banks."

It is proper to say that Judge Dexter, who has been investigating the question of co-operative banking for several years, and is the author of the New York law of 1887, has ready for the press a work on the whole subject, which seems likely to supersede all former books in the United States. It will be published in 1889,

and will give much fuller information than this number of the *Journal* contains concerning Building Associations and their mode of management in different parts of the country. Writing to the Secretary of the Social Science Association, Nov. 26, 1888, Judge Dexter says: —

The work so grows upon me that I feel compelled to rewrite chapters that I thought months ago were completed. I have collected much data since the Saratoga meeting regarding these associations in the different States. This morning I have received a complete list of all the associations in Wisconsin, through the kindness of the Secretary of State, and also answers to a series of questions sent out by me concerning the scheme by which the business is conducted in that State. I feel and know that my work is very incomplete at present; but, in my judgment, I ought not to delay it much longer. A new work on these Associations has just been issued by S. Rosenthal & Co., at Cincinnati, entitled "Manual for Building and Loan Associations."

6. THE DANGEROUS SIDE OF BUILDING ASSOCIATIONS.

BY C. F. SOUTHARD, OF NEW YORK.

(Read Sept. 7, 1888.)

Mutual building loan associations or co-operative banks, which at different periods during the past half-century have been brought more or less prominently to the attention of people living in large cities, are at the present time a subject of general interest. The leading feature of this form of co-operation always has been, and is now, that no sooner is the subject agitated than it attracts the attention of rich and poor alike, and the practical work of organization follows immediately. For the second time in the history of the Empire State, the dwellers in all the large towns and cities, particularly New York and Brooklyn, have caught the building and loan association fever; and the springing into existence of these associations is a matter of daily occurrence. During the past eight months, fully 15,000 people have enrolled themselves members of these associations in New York and Brooklyn; and the writer has in the same period responded to nearly 15,000 inquiries on the subject, received by letter from almost every section of the country, particularly the South, and by personal interview attempted to explain the associations to more than 70,000 people.

The general spread of the organizations is both a matter of congratulation and fear,— *congratulation*, because, whenever and wherever organized, they have drawn wage-earners and rent-payers into warm and unselfish communication, and prove that men, women, and children, earning 50 cents and upward a day, can create capital for themselves along the line in which all capital is created,— by saving a portion of their weekly or monthly income, and loaning it at interest, thereby establishing habits of thrift and a sure foundation for their future financial and moral well-being; *fear*, because of the universal ignorance among officers and members of the simplest rules governing finance, and the general desire and encouragement to recklessly speculate.

In 1849–50, these associations sprang into existence in different

sections of the country as if by magic; and thousands of mechanics, sewing-girls, and washerwomen invested in them their scanty earnings. But the mysterious methods of the scheme and the losses resulting to many members finally led the New York legislature to appoint a committee of three to investigate the 124 associations then doing business in the State; and this committee reported in favor of revoking the charters of all, without distinction or reserve. This was never done, however.

The associations became especially popular at the same time in Connecticut, but their methods caused the same results. A searching investigation was made by the legislature; and in 1860 savings and building associations were forbidden to receive deposits after Jan. 1, 1862. In 1865, they were required to return all deposits on or before July 1, 1886, which practically wound them up, and repealed the law authorizing them. This phase of the history of the co-operative savings bank movement in New York and other States will surely be repeated, unless the States, by acts of legislature, prevent it, as Massachusetts has done. The dangers which beset the system in every State except Massachusetts are that the organizers of associations either copy the general mistakes of the system, or else evolve brilliant financial theories, which are placed attractively before the public by advertisement, inviting people to deposit their savings with the prospects of large returns in the "sweet by and by."

The three leading dangers which menace this plan of banking in all the States to-day are those which brought it into disrepute thirty years ago; namely,—

1. Permitting a single member to hold a large number of shares of stock and borrow on them. This leads to speculation, to stultification of the spirit of co-operation by the well-to-do and more venturesome members, who absorb the money, erect tenement houses to rent, and crowd out modest borrowers who want homes. This condition of affairs leads to the final taxing of the capital stock, as in Illinois and in New York in 1886, thereby preventing organization.

2. The plan in general use of deducting the bonus bid from the sum borrowed. This results in the borrower paying interest on money he does not receive, the holding of "inflated" mortgages by the association, the yearly bankrupting of the concern by the declaration of profits not earned, and the robbing thereby of members who remain until the termination of the association of their legitimate profit by those who withdraw at an early period.

3. The almost utter lack of knowledge by the directors of the simple principles governing finance and a criminal carelessness in the matter of informing themselves in reference to the same.

The last and perhaps most dangerous fact attending the popularity of this form of co-operation is the fungus growth which attaches itself to the spread of the system, properly known under the terms "real estate and money brokerage," which bids for and secures the hard-earned money of hundreds of poor people daily under the specious guise of "co-operative banking."

This meagre outline of facts will on investigation be found the prominent and ruling spirit of this magnificent system of co-operation everywhere. It is a pity it is so, because results show that, with all the evil, there has come unmeasured good. It is a simple matter to prevent or reduce to a minimum the evils of the system by having each State prevent, as near as may be, the uneducated, unthinking citizen from financial suicide, the selfish from taking advantage of the less fortunate by speculation, the unwitting injustices practised by erroneous methods, and the depredations of financial man-eaters, by enacting a single statute defining the limits and methods of an association, under which no other alleged mutual co-operative financial association could organize.

This is the dangerous side of the grandest, simplest, and most successful plan of co-operation ever made practical in the two hemispheres; and, after a century of development, the wonder is there should be any dangerous side. It remains for earnest, warm-hearted people, who recognize that every human being is capable of appreciating a plan of benefit which does not pauperize, patronize, or belittle in any way, to strive for the elimination of the errors, and encourage, even to the extent of self-sacrifice, a system which will continue to dot the land with homes. Homes that may be extremely modest, perhaps, in size or architecture, in their influences will be as far reaching for good to the individual, the nation, and the world as those called palaces.

7. NOTES ON PROVIDENT INSTITUTIONS IN ARKANSAS, TENNESSEE, AND TEXAS.

BY PROF. ROBERT T. HILL, OF AUSTIN, TEXAS.

A greater diversity of natural conditions, and consequently of cultural ones, can be found in these three States than in any other area of similar size in the United States. Eastern Arkansas, North-eastern Texas, and much of West Tennessee are situated in the low, humid, forest-covered cotton belt, in which the unconsolidated substructure, and the great proportion of overflowed bottom lands to uplands, prevent density and continuity of settlements, and, at seasons, retard travel, transportation, and social intercourse. In other words, they are regions dearthful of industries, and usually dependent on one agricultural pursuit. Much of the trans-Pecos region of Texas, of Western Central Arkansas and East Tennessee, upon the other extreme, is mountainous, sterile, and therefore unadapted to social gregariousness, except in rare cases of mining localities. North-western Arkansas, Central Texas, and Middle Tennessee, although differing from each other in many respects, each present superb natural conditions of structure, soil, etc., for superior populations of diversified occupation and great density. In the first regions mentioned (the cotton belt proper), the one industry is conducted either by landlords of large holdings, who own the most fertile and extensive tracts, and rent or "share crop" their lands to a largely nomadic tenantry, or else by small holders, who usually possess poorer and more sterile lands, which are frequently abandoned in a few years, after clearing and exhaustive cultivation. The cities and towns of this region are not large, and are dependent almost exclusively upon merchandising.

Owing to the absence of much needed statistics on the subject, I can only state as a matter of personal observation that provident institutions, of any kind whatever, are almost unknown among the cotton producers; but, on the contrary, nearly every farmer annually mortgages all his property, both real and personal, together with the prospective crop, for inferior and exorbitantly-

priced supplies wherewith to grow it. The appended statement, made in March, 1888, by a committee of the order of Knights of Labor in Arkansas, accompanying their demand for a State Bureau of Statistics, does not greatly exaggerate the industrial condition of the region: —

We are told that in Arkansas, where extensive mills, factories, and mines do not exist, to oppress the laborer or grind the faces of the poor, as in the East,— that in this "western wild," with its rich and undeveloped resources, we need no such Bureau. But is it true? Let us see. Our principal export is cotton. The crop is sold before it is planted in the soil. We find that most of the lands are owned in immense tracts, and farmed out to tenants at the most extortionate prices. From $4 to $12 per acre, or from 80 to 100 pounds of lint cotton per acre, are, as a rule, exacted from the poor fellow who cultivates the soil; the average for our best lands reaching no less than from $6 to $8 per acre rent. The tenant, in the miserable hovel furnished by his landlord, exists upon the roughest and most meagre diet,— corn meal and fat bacon,— the latter, and frequently the former, imported from the East. During the most flourishing season of the year, when the crop is wont to be pushed, a little coffee, a few potatoes, and the like, are added to the scanty fare of the tenant; but he pays for it by going hungry between the "laying by" and the gathering season, being told to root and hustle for himself during this dull period. His clothing is as scanty as his food; and his children, dragged and driven into the cotton field in tender years, from necessity and want, are reared in ignorance and rags. His home is about as well provided with comforts and influences of moral refinement as the average wigwam of the Comanche on the far western plains.

And this is the condition where cotton is king. Do you ask why the cotton crop is not abandoned, and a more profitable one substituted? You well know the tenant is not allowed this privilege. "This is the only crop you can sell for money," is the cry; and, through the favorite anaconda mortgage system of Shylock, the pound of flesh that is not extracted by extortionate land-rents the landlord or syndicate is doubly sure of in the "furnishing of supplies." There are good old mules in Arkansas to-day, to which the original owner has undisputed title (having been sold from year to year to the unfortunate tenants, who failed at the last moment to meet the little balance due on the animals), that have brought $1,000 in actual cash.

In making this statement, we have confined ourselves to the facts before us; and the picture is not overdrawn. We make it for the purpose of arresting the evils which threaten us as a people, and hinder our progress and prosperity as a State, and of prevailing upon the patriotic citizen of Arkansas — be he landlord, tenant, or landlord-and-tenant — to call a halt. Reduce the out-

rageous prices of land-rents and supplies, and be humane, if not generous, manly, if not Christian. We make this appeal to you in behalf of the tenants, both white and colored, who produce the fleecy staple that adds so materially to the comfort and happiness of others, but to misery and want in the tiller of the soil. And, in the mean time, we hope that the importance of establishing a Bureau of Labor Statistics for Arkansas will not be overlooked or underestimated.

(Signed) T. O. MILHOLLIN, *Chairman.*

G. W. BELL, *Secretary.*

By order S. E. B. Knights of Labor.

It is hardly necessary to state that in this region, where people have no earnings, there are neither Savings Banks, Building and Loan Associations, nor other ordinary provident institutions. The great prosperity that has of late years affected nearly every other industry in the South has not touched the cotton-grower. But the region is not entirely dormant upon this question; and numerous organizations, such as the "Farmers' Alliance," the "Agricultural Wheel," and the Knights of Labor (who in this region are mostly farmers) are agitating technical education, the abolition of the crop-mortgage system, and the organizing in every community of co-operative stores.

If the industrial condition, upon which the prosperity of provident institutions is dependent, is at a low status in the portion of these States within the cotton belt, it is refreshing to record a directly opposite and better condition of affairs in the more diversified agricultural and manufacturing cities that skirt the interior or coast borders of the cotton belt, such as Knoxville, Nashville, Chattanooga, Memphis, Little Rock, Denison, Dallas, Fort Worth, Austin, Waco, Galveston, Houston, San Antonio, and other places. In these there are numerous and prosperous building and loan associations, with large capital. It has been impossible for me to procure accurate statistics on the subject; but the following data from Nashville and Chattanooga, Tenn., Houston, Tex., and Little Rock, Ark., will show the rapid hold which these institutions are gaining upon popular favor.

Nashville.— Four Building and Loan Associations send data from this place, while we are assured of the existence of seven or eight more. The total assessment of the four associations reporting aggregates $423,130, while the total savings thus invested in the city cannot be less than $1,000,000. Three Savings Banks

are also reported from this city, but not the amount of deposits. Nashville is also the seat of many benevolent societies and mutual insurance associations.

Chattanooga.— Our correspondent sends us the following report of saving and loan associations in this city: —

The Building and Loan Association has, until a comparatively recent date, been a new and unknown institution in the South, although it has been such a great and well-recognized factor in building the large cities of the North and West. Some six and one-half years ago, the first association of the kind was organized in this city, and has met with a success and prosperity unsurpassed, if ever equalled, in this or any other country. The *Chattanooga Savings and Building Association* was first organized in February, 1881, and had, therefore, at the date of its last semi-annual statement, issued in August, 1887, been in operation seventy-eight months. This association was chartered and organized under Act of Assembly passed for that purpose in 1875. It is a perpetual association, issuing a series every six months, any one series being closed, and the holder of its stock being paid off full value when the share is shown by the statement to be worth $200. Any stockholder who has not borrowed on the same can withdraw his stock at any time, receiving full withdrawal value, being amount paid in and its share of profits earned to date of withdrawal. Dues are $1 a month on each share. Advances made to borrowers are paid by their stock, unless the borrower desires to pay before maturity, when he gets credit for value of his stock, is charged with money actually received, and the same proportion of the premium bid by him that his stock has earned. By the charter the capital stock is unlimited. In the by-laws it is limited to 5,000 shares, or $1,000,000. The August statement shows the number of shares issued, 4,205; withdrawn, 2,214; remaining shares, 1,991; number of shares borrowed on, 646. Total available assets, $136,973.88; outstanding loans on mortgages, $129,200; capital stock paid up, $136,548.48; amount paid on one share, first series, which had been issued seventy-eight months (mean time three and one-quarter years), $78; value by statement, $176.65, a profit of over 40 per cent. per annum.

Next in order of date is the *Lookout Homestead Association*, organized June, 1885. This is like the preceding in all its principles and methods of operation, and has met with phenomenal success. Its June statement shows it to have been in operation twenty-four months. Number of shares issued, 1,288; number of shares withdrawn, 358; remaining shares, 930; number of shares borrowed on, 127; value of one share in twenty-four months, on which was paid $24, $42.85; stock paid up, $26,670.65; loans outstanding, secured by mortgages, $25,400.

The *Hamilton Perpetual Building and Loan Association*, the third association of this kind, was organized July 25, 1887, under the

same act as the preceding, and with about the same methods of operation, except that the dues are $1 on each share every two weeks. Each share represents $200. The capital stock is fixed at 5,000 shares of $200 each. There have been about 600 shares issued so far, and this association has a most successful start.

The fourth association, the *Merchants' and Mechanics' Building and Loan Association*, was organized July 29, 1887, under the same law as the preceding. Capital stock is fixed at $100,000, of which about 600 shares have so far been taken, and a most successful beginning made. Money in this, as in the other associations, is sold to the highest bidder; but it differs in its operation from the preceding in these particulars; series of stock issued every month; stock may be paid up in full, and dividends then received in cash semi-annually; payments, 25 cents per week on each share; the premium bid is not included in note, but is paid weekly with interest and dues; money sold weekly.

The preceding are strictly loan associations: they do no actual building, but loan money to the highest bidders on real estate security, thus enabling them to build and pay for their houses in small weekly or monthly instalments. But there is another association, the Mutual Real Estate and Home Building Association, organized under another law, which does the actual building, or will sell a lot and receive pay in monthly instalments. It was organized in June, 1885. Its capital stock is 400 shares of $500 each, all of which have been taken, and can now only be had by purchase from private parties at a premium. Its methods of operation are to buy tracts of land for cash or on short time, and subdivide and sell out in smaller lots, at a profit and on easy terms; also, to build houses, charge a reasonable profit, such as will compare favorably with other builders, and give its patrons easy terms for payment. Its terms are 10 per cent. cash, the balance in monthly instalments of $12 per month on each $1,000 for eight years. This association finds a demand for ten times the amount of work which its capital allows it to do, and at its last annual statement declared a dividend of 60 per cent. Besides having built some twenty houses, it has sold some seventy-five lots for houses on its liberal terms since it commenced operations.

These associations, though four of them are yet in their infancy, have been the means of providing homes for from 200 to 250 families, or about one thousand people. Their usefulness will be more and more recognized, and their number will increase as Chattanooga's growth and prosperity demand.

Little Rock, Ark.— There are seven building and loan associations in this city, of less than $100,000 capital each.

Houston, Tex.— Mr. E. T. Dumble sends the reports of four flourishing building and loan and saving institutions from this city, all of which are in a flourishing condition. There can be no less than fifty of these institutions in the State of Texas.

OTHER SAVINGS INSTITUTIONS.

There are many societies and organizations for the encouragement of savings in Tennessee, Texas, and Arkansas, but no accurate statistics have been attainable. In Texas there has been in operation for forty years a system of land sales by the State, which has compensated many-fold for the absence of savings banks, and, in fact, has proved more beneficial to the people. By this system, millions of acres have been sold in small tracts, on long and easy terms. No statistics have been kept; but for years all the charitable and a large proportion of the educational institutions have been supported by funds derived from these States. It is a modest estimate to say that no less than a half million farmers have obtained homes since these school, university, and asylum lands have been upon the market. By this system, many people, including those locally impoverished by the Civil War, have been enabled, not only to lay by savings, but to secure an opportunity to make them. Very few of the purchasers have possessed any capital to begin with. The above remarks do not apply to another class of lands which have been donated to homesteaders, by which means, both in Arkansas and in Texas, billions of wealth have been created and saved.

8. LIFE INSURANCE.

A REPORT BY THE COMMITTEE.

(Read Sept. 7, 1888.)

The history of life insurance is well known, but may be briefly summarized here. Although extending back, in its rude forms of annuity and reversionary payments, some two hundred years, it practically owes its origin in the modern form to Dr. Richard Price, the disciple and friend of Dr. Franklin, in 1769. In that year, Dr. Price published his "Observations on Reversionary Payments"; and soon after that date he and Dr. Franklin joined in prescribing rates and rules for a life insurance and annuity company, chartered in Pennsylvania in 1769. The early American companies had little business, however, as compared with their successors, or with the English companies, for which Dr. Price furnished his famous Northampton table of premium rates.

Incorrect as these tables have proved to be, in some respects, they had the merit of erring on the safe side, and thus, when followed by the insurance companies, they have secured the managers from that common source of failure in life insurance,— too lavish promises to the policy holders, which, when broken, caused the company to lose business, or, if an effort was made to keep them, brought it into insolvency. The English tables have been successively improved by the illustrious Registrar-General, Dr. William Farr, and by the English actuaries, and the result has been to show a much greater "expectation of life" at given ages below seventy years than Dr. Price estimated. Of course, this apparent and often real prolongation of life has inured to the benefit of well-organized life insurance companies in England, while it has not prevented a great extension of what is there called "life assurance." Thus in 1880 the whole face value of the policies then in force was estimated in the United Kingdom to be $2,100,000,000 in a population of about 34,000,000. At this rate per capita, there should now be in the United States policies in force to the amount of $3,700,000,000 which is not the case. So that Great Britain still leads us in the proportionate amount of life insurance, as she has long led other countries.

The early experiments in life insurance in the United States did not succeed in making this form of investment popular, and probably did not have that purpose in view. They were rather investment companies, with an insurance side, than insurance companies based upon good investments. But a little more than forty years ago (from 1843 to 1850) the business of life insurance took a fresh start and a firm hold in New York, and its tributary State, New Jersey, and also in New England. The two greatest New York companies, all things considered,— the Mutual Life, organized in 1842, and the New York Life in 1845,— the Mutual Benefit of New Jersey, organized in 1845, the New England Mutual, organized in Boston in 1835, but not very active for ten years, and one or two Connecticut companies, for a long time did almost or quite one-third of all the life insurance in America. At present there are other large companies in New York and New England, and one in the North-west, which compete with the three older companies, and do a business much larger than some of them.

The Equitable Life Insurance Company of New York, for instance, though organized not quite thirty years ago (1859), now has receipts larger than any other American company except the New York Mutual, having outstripped the New York Life Company about seven years ago. These three giant companies now have a yearly income of more than $60,000,000, and pay out to the families of insured persons about $30,000,000 annually. These sums are nearly one-half of all that is received and paid out to policy holders in the whole United States. If we add to these three New York companies the next largest two,— the Connecticut Mutual of Hartford and the Mutual Benefit of New Jersey,— the yearly income of the five companies will exceed $75,000,000, and the annual payments to policy holders will be more than $40,000,000,— considerably more than half the corresponding aggregates for the United States. Besides these five companies, there are ten others whose yearly income exceeds $2,000,000, and seven others with an income of more than $1,000,000.

In England and Germany there is less concentration of this business in the hands of a few great companies, so far as we can judge by the returns accessible; but in France such concentration is still more marked, for three companies there (the *Compagnie d'Assurance Générale*, the *Nationale*, and the *Phénix*) have issued about three-fifths of all the policies in force in France, which in 1885 did not exceed $1,000,000,000. In the same year,

the German policies did not exceed $900,000,000. Our population being now considerably greater than that of either the United Kingdom, France, or Germany, it is natural that we should have a greater amount of life insurance policies in force; but we, in fact, appear to have more than three times as much as Germany, quite three times as much as France, and a little more than the United Kingdom, where the aggregate face value of the policies does not, probably, quite equal £600,000,000.

The whole amount of life insurance nominally given to the people of the United States at this time is estimated by a careful writer at $3,000,000,000, and this great aggregate is fast increasing. It is estimated that in 1887 new insurance was guaranteed to our countrymen at the rate of more than $2,000,000 a day, excluding Sundays; and it is probable that in 1888 the daily rate is $2,500,000.

Of all the provident institutions of America, therefore, the life insurance companies are the most important in their pecuniary advantage to those who profit by them, for there is no other class of these institutions which yearly pays $70,000,000 to its beneficiaries. But it must be remembered that life insurance has become a luxury and a sheet-anchor to the rich as well as a provident investment to persons of small means. A wealthy merchant of Philadelphia carries a life insurance of $1,000,000, it is said. There are many men in the United States who carry from $300,000 to $500,000; and in the city of Boston alone there are more than sixty men and firms that insure lives for more than $100,000 each. It is safe to estimate that 10 per cent. of all the life insurance in America is for the benefit of men of large wealth, and at least 20 per cent. more for the benefit of men who, at their death, will leave their family in comfortable circumstances, apart from the life insurance in their estates. Yet with these deductions there would remain an insurance interest of $2,000,000,000 for the benefit of nearly a million families, who, but for this provision, might be left poor at the death of the husband or father or brother who is the bread-winner of the family.

Viewed in this light, life insurance becomes a benevolent institution of the greatest interest to philanthropists and statisticians, fully warranting all the pains taken by the various State Governments to protect their citizens in the investments thus made. Most of the American States now require some report from life insurance companies doing business within the State limits, and impose certain restrictions upon their modes of insuring lives and paying

policies. A strict State supervision, however, is found only in a few States; and even there it may exist for a time, and then be relaxed or practically given up. It is only in about half our forty-eight States and Territories that life insurance has yet found any considerable development, although the "Insurance Year Book"— that valuable publication issued annually by the New York *Spectator*— gives returns from some forty-five States and Territories. Thus the Territory of Dakota in the year 1886 made new insurance to a greater amount than the States of Delaware, Arkansas, Mississippi, and Nevada, and the Territories of Utah and Arizona. The little State of Rhode Island made more than the three States of North and South Carolina and West Virginia and *nine times* as much as Delaware; while Connecticut made more than the three States of Alabama, Georgia, and Florida; yet Florida made more than Arkansas, Louisiana, and New Mexico. New Jersey insured more than Ohio, and Massachusetts almost three times as much as Michigan; while Pennsylvania, insuring $18,000,000 more than New York, took $3,500,000 less in premiums, as reported. The proportion of premiums to insurance varies from more than one-fifth in New York, and more than one-sixth in Massachusetts, to less than one-twentieth in Texas, and little more than one-twentieth in Kansas. In the whole country, in 1886, the proportion of premiums paid to new insurance taken was a little more than one-seventh,— $94,053,037 in premiums to $620,777,774 in new policies and additions.

The policies in force at the end of 1886 in the whole country were 1,744,754, and the average ultimate value of each policy was $1,400. By the end of the year 1888 there ought to be 2,000,000 policies, or one for every thirty of our population; but the average face value of a policy has probably fallen rather than risen above $1,400, because of the great increase of the so-called "industrial business," or the insurance of workingmen for small sums and at low rates. This business is also increasing rapidly in England, to judge by a single great company,—the "Prudential,"— which in 1886 had in its "industrial branch" premiums amounting to nearly $14,000,000 according to its report. The German Imperial Government, as is well known, has entered upon a course of compulsory insurance among the industrial classes, to secure them from dependence caused by accident, by sickness, and by old age; but, whether compulsory life insurance has yet been adopted there to any great extent, we are not informed. In England there exists

a scheme of government life insurance, which has been worked, since 1864, in connection with the post-office; but this is not compulsory, and is on a small scale. In the United States, no system of State life insurance exists, or is likely to be established; but the supervision and interference of the several States, for the protection of those who insure their lives in private corporations, is now quite general, and, on the whole, increases in stringency.

We cannot better conclude this imperfect preliminary report than by citing what is said in his first report by the newly appointed insurance commissioner of Kansas, Mr. Wilder, an official of great good sense, sincerity, and philanthropy:—

Insurance should be classed with the sanitary commissions, the asylums, and the hospitals that distinguish our age from all that have preceded it. It is forethought and benevolence organized; prolonged by a corporation,— a body made by men to outlive men. There is a great gulf between the era when brute force was king and ruler and our own times, when common sense and prudence prevail, and the sight of human weakness is an incentive to pity and help, and not the cause of contempt and brutality. Insurance had its origin in common sense. When ten or thirty men in London had each a ship at sea, they had sense enough when they met at Lloyd's coffee-house to write their names under a contract of indemnity, by which they agreed to bear each other's burdens. In other countries, like dangers gave birth to like results, and the system of modern insurance was born.

Men do not organize life insurance companies or hold stock in them from motives of benevolence or philanthropy; but the results of their acts are hardly less beneficial to society than the relief given by the whole range of charities of Church or State and of private benevolence. This branch of insurance is also a growth, a system based upon the broad and settled facts of human experience,— the length of life, the value of money, the stability of society. It improves slowly, prudently, surely. There are men who tell you it is all wrong, that they have a new plan which will supplant it to-morrow; but it is as easy to supplant the multiplication table as it is to change the laws of life and death.

These facts are the commonplaces of insurance, known to all sensible persons. So good is its name, so grand is its work, that every modern land abounds in miscreants who steal its livery to serve the devil in. They take your money and promise to return it a thousand-fold in the event of fire, disaster, or death. Their promise is a lie; their treasury is bankrupt. In my very brief and imperfect administration of this department, I have every day heard the voice of the poor man and the poor woman who have been robbed by base and infamous wretches who promised, for pay, to give insurance. I should deem myself unfit to live if I did not do

everything in my power to strike down the hands of these infamous men,— men who have betrayed and robbed the poor, the helpless, and the ignorant,— and to hand down their names for perpetual execration. It is not fit that Kansas should longer endure the shame of pocket-picking under the name of insurance.

As American life insurance grows and strengthens, these defects are thrown off, and neither Kansas nor any other State will long continue to suffer from the evils censured, while the benefits of the system will become every year greater and more permanent.

Rev. Dr. H. L. WAYLAND, of Philadelphia, who had undertaken to report on the Provident Institutions of the Hebrews in the United States, only found time to submit, with a few introductory remarks (dwelling on the care taken by the Hebrews to support their own brethren in poverty), the following communication from an official of the District Grand Lodge No. 2 of the Independent Order B'nay B'rith, at St. Louis, Mo. It was read without debate, and the subject was recommitted for further report: —

PROVIDENT INSTITUTIONS AMONG HEBREWS.

It is well known and universally admitted that the Jews were ever mindful to provide for their sick and needy, their widows and orphans. They considered this a sacred religious duty. Wheresoever a number of the dispersed sons of Israel congregated, they soon formed "Hebroth" ("fraternities") for these charitable purposes. There was, however, no organized union between the different local organizations, except the same deep feeling of brotherhood, strengthened by persecutions and sufferings, the same consciousness of that religious duty, commanded by the Mosaic law, repealed by their prophets, and inherited from generation to generation. When a number of the Hebrews had immigrated to these United States, coming from many different European countries, divided into as many nationalities, with various customs and rituals, the necessity was soon felt by them to break down those separating barriers, and to unite, regardless of those differences, for the purpose of aiding and providing for their widows and orphans, their sick and needy, at the same time obliterating the prejudices brought from the old countries, and preparing themselves to become enlightened citizens of this great republic and familiar with its parliamentary proceedings, etc. With this view, the I.O.B.B. (Independent Order B'nay B'rith) was organized about half a century ago. Far from any exclusiveness or any opposition to other non-sectarian, fraternal organizations, the members of the I.O.B.B. at the same time belong to the orders of Masons, Odd Fellows, and other such societies. Every

B.B. Lodge was bound to establish a fund wherefrom poor brothers are to receive support in case of sickness and decent funeral in case of death; also, a widows' and orphans' fund, from which members' widows were to receive a quarterly stipend. This latter method was found inefficient; and, about eighteen years ago, when the so-called co-operative or assessment insurance became popular in this country, the said order also adopted such a system, if system it could be called. Every member was assessed at the death of a brother barely sufficient to raise one thousand dollars for the benefit of his widow or orphaned children. At first, this seemed to work so very satisfactorily that the order increased, within a few years, from fifteen thousand to twenty-five thousand members; and about half a dozen kindred Jewish organizations were formed, partly with a view to create new and similar insurance societies, partly from ambition and other causes. All, however, were purely charitable provident institutions, and emulated each other in doing good work. But none have been, so far, as effective in establishing grand humanitarian institutions, such as orphan asylums, hospitals, homes for the aged and infirm, libraries, etc., none have so high aims and aspirations as the I.O.B.B. It supports science and art,—witness the statue of religious liberty in Fairmount Park, Philadelphia; it endeavors to come to the rescue of victims of persecution in foreign countries, and has lately established lodges in Germany, even in Cairo, Alexandria, and Jerusalem; and it has its own organ,—a literary monthly (*The Menorah*) of acknowledged high merit. It was also the first to recognize the crudeness of the original assessment system, and to establish reserve funds whereby its endowment institution is secured on a more just and enduring system. Unfortunately, the fallacies of cheap insurance are yet largely cherished among Israelites as well as other people, and they blindly join *improvident* institutions which promise impossibilities.

9. THE EARLY HISTORY OF SCHOOL SAVINGS BANKS IN THE UNITED STATES.

BY J. H. THIRY, OF LONG ISLAND CITY, N.Y.

(Read Sept. 7, 1888.)

At the general meeting of this Association for 1877, Mr. John P. Townsend, of New York, read a very interesting paper on Savings Banks. The last three pages of the article were devoted exclusively to School Savings Banks. After commending at length the many benefits accruing to the young in the different countries of Europe where the system of School Savings Banks has been introduced in the Public Schools, he concluded by saying: "The experiment is worth trying in our country. Why not put it at once into practice?" Mr. Townsend had also urged the adoption of the system, two years before this, in 1875, in his history of the Bowery Savings Bank. About the same date (1877, or a short time previous), Mr. S. T. Merrill, of Beloit, Wis., a renowned philanthropist, gathered together, by his own contributions to the press and his large correspondence with authorities at home and abroad, all possible information, with the view of introducing the European plan in our own educational institutions.

Notwithstanding the unceasing efforts of those two pioneers of the system of School Savings Banks in our country, very little was accomplished until 1885, when the writer, then a School Commissioner of Long Island City, N.Y., resolved, with the co-operation of the seven teachers of the Third Ward, to give a trial of the plan in the two schools (Primary and Grammar) of about 750 pupils. Having previously studied the workings of the system as carried out in France, Belgium, and England, we began operations on March 16, 1885. The idea was received so favorably by the press, the school authorities, and the public generally, that the trial proved a complete success. Of the 750 pupils of these two schools, from March, 1885, to July, 1888, 666 became depositors of $4,847.32, of which sum $2,030.49 was withdrawn, leaving a balance in July, 1888, of $2,816.83 to the credit of the various juvenile depositors.

From the inauguration of the system in the two above schools up to the present time, 35 schools in five different States have adopted it, with the same encouraging results. Three of these schools had not reported in time for this paper; and, therefore, I am unable to present complete statistics of their operations. This circumstance compels me to give only an approximate figure, as the result of the system, drawn from the reports made to me on Jan. 1, 1888. Out of 35 schools, with a register of 13,912 pupils, 5,955 are depositors of a sum amounting to $33,033.81, of which $12,321.55 has been withdrawn, leaving $20,712.26 due depositors on July 1, 1888. Besides the 35 schools above referred to as enjoying the benefits of this so-called innovation, many institutions, such as the Young Men's Christian Association, clubs for boys in New York City, and Young Women's Christian Association of Baltimore, have appeared as offshoots of the first-named schools; and every one of them is doing well and furnishing striking evidence of the best possible results.

After the plan was accorded one year's trial, about twenty-five of our most advanced educational and secular newspapers recommended the general adoption of the system; and I received so many applications from all sections of the country, asking for the rules and regulations connected with the plan, that I was at length obliged to publish a small manual giving the sketch of the advantages to the youth of our land growing out of the system. Five hundred copies were at that time distributed to applicants. Two years later, owing to the rapid extension of the good work, I again found it necessary to publish a new edition, with additions and remarks from notes taken during the working of the plan in the years 1887 and 1888. I expect to include in the work now in preparation —"The Early History of School Savings Banks in America"— many new hints, drawn from the experience derived both here and in Europe by friends and advocates of the system, with the majority of whom I am in constant correspondence, exchanging views and ideas, so as to perfect the plan as much as possible and adapt it to our American customs. In my future work, I shall give the names of those who have contributed the most to the onward march of School Banking in our country, and propose bringing its workings to a complete, uniform, and practical plan. Of the 35 schools which have adopted the system, 19 have deviated in some way from the general rules and regulations laid down; namely, in the way of collecting the savings of the children, and

in investing the same. This deviation was partially caused by the absence of regular and chartered Savings Banks in the localities where the School Savings Banks have been introduced. But it is to be hoped that, after another year or two of experience, the necessity of a uniform plan will be felt, and that many more States will charter regular Savings Banks.

ADVANTAGES OF THE SYSTEM.

As I have said before, this new educator in our schools is nothing more nor less than the exemplification of the principle of object teaching, which is so strongly advocated at the present time. Here we teach the children the benefit of saving their few pennies, and impart a practical application of a great and acknowledged good. To teach a science without illustrating its principles generally ends in failure. The philosophy of education should go hand in hand with its practice. Philosophy suggests plans and theories: practice should test and try them.

The multiplication of School Savings Banks in the United States will largely increase the sums deposited in the banks, because, in addition to the amount deposited by the children, the influence of their example will be, in many cases, felt by the parents, who will also begin to save. It has been said that two-thirds of our States and Territories do not as yet enjoy the benefit derived from Savings Banks, and that out of the 60,000,000 inhabitants in our country only 23,000,000 enjoy the benefit of these institutions, which have contributed more for the prosperity of the people where they have been established than all the other benevolent institutions combined. Think of the amount that one-third of our population has saved, which, according to the recent statistics of Mr. John P. Townsend, is $1,202,295,034.63 by 3,405,988 depositors. How many houses have been built by means of this money! How many large business enterprises these savings represent! How many homes, to-day, enjoy peace and happiness due alone to these institutions! No better argument could be presented to the people in favor of Savings Banks than a list of the benefits which have accrued from these institutions since their inauguration in this country only seventy-two years ago. If $1,202,295,034.63 has been saved by 23,000,000 inhabitants, probably $1,934,126,793.83 more could have been saved by the remaining 37,000,000. These figures are more eloquent than all the arguments that could be presented in favor of improving the condition of the working classes.

A French economist says, "To regenerate and transform a nation, we must begin with our children." The school population of children from six to fourteen years of age enrolled in the schools of our 48 States and Territories reaches the gigantic figure of 12,000,000 (see the last report of the Bureau of Education, Washington, 1887), of which number 5,955 are depositors in the School Savings Banks and have saved $33,033.81. The 12,000,000 pupils would have deposited to date $25,250,000, the greater part of which sum has probably been spent in an unprofitable way, and maybe, to some extent, to the injury of the health of those 12,000,000 "might-have-been" depositors. Every one knows that one of the greatest essentials to success in the education of a child is to secure its willingness to attend school. It is claimed for this system that it adds to rather than detracts from the charm of school life. When a child becomes a depositor in the School Bank, a new interest is awakened, and a bond of union formed between the pupil, school, and teacher, and every addition made to the deposit strengthens and deepens the union.

The time devoted to the collection of the money, from 9 to 9.15 each Monday morning, is a scene of animation and often of good-natured rivalry, which engenders in the children a spirit of emulation that will gradually expand and grow until it permeates their whole life, not only in the school-room, but will also be made manifest in their intercourse with the world, so that, instead of being machines, they will be recognized as having minds well trained and capable of exercising that almost divine prerogative, "thinking for themselves." How should we expect children brought up amidst improvidence, waste, and extravagance — all national faults — to develop, without practice, prudence, thrift, and judicious spending? The bank-book of the average pupil is an interesting study. At first, the deposits of the scholars amounted weekly to only one or two cents; but the amount gradually increased. The spirit of excelling began to develop itself; and the pennies that had gone formerly for toys, sweets, etc., were carefully saved to be added to the nucleus already formed. This will naturally raise in the mind of the reader the question, "*Are you not teaching the children to become misers?*" My answer to such argument is that every good thing is open to abuse; but should we therefore prohibit the child from praying to God for fear that he may become a bigot? Must we prevent the little girl from wishing to be loved for fear of her becoming a coquette?

Many of our small depositors surprised their parents, during the Christmas holidays, by presenting them with some little token of love and regard that in many cases was the first offering the child had ever been able to make; and others have utilized some of their savings of the summer in purchasing comfortable winter clothing for themselves, thus experiencing that sense of independence that always accompanies the first purchase with money saved. Others again have been enabled to do that which will be one of the sweetest and most hallowed recollections of their lives: they have been able, with their penny savings, to purchase coal and provisions for the family during winter, when work was slack and sickness visited the household. Who, in the face of such facts as these, dare affirm that the few minutes devoted to this business in the school is a waste of valuable time? Do not these illustrations carry conviction in every instance? Does it not convey to every parent a forcible suggestion that in the time of their prosperity they should instil into the minds of their children the advantages that will accrue from the training, in early life, in practical economy?

Let us see what good there is in this new education. The surrounding aspect of the introduction of the plan into the 35 schools above mentioned has developed a great many good suggestions which have proved to be of incalculable value for the future welfare of our children and for society in general.

It is unnecessary now to dwell on the extent to which thriftlessness has become a curse to America. We have been lately reminded of it by the statement from our houses of correction, prisons, and other reformatories, that they are too small to accommodate the increasing number of tramps, paupers, and criminals who are recruited from our large cities and towns, the great majority of whom are made up of outcasts sent from abroad to our "hospitable" country. Many of our large cities are filled with miserable and shocking evidences of want, vice, and intemperance, resulting from improvidence; and the remedy for such a deplorable state of things, in this the *nineteenth century*, is a matter that demands the thoughtful attention of all classes of society. Many philanthropists are looking to education to lessen, if not to rid us of, this dark stain upon our national greatness. And one of the chief educational means to assist so good an end is to be found in the economical training furnished by School Banks. In saying this, I am not expressing my own unsupported conviction: I am supported by

the authority of the distinguished men who have since the remotest times deeply considered the social evils alluded to with the view of providing a remedy.

Eminent patriots of the Old World, whose labors for the elevation of the people were directed by a wide and catholic study of the social problems of the times, have declared in memorable words, often since quoted, that they were convinced that Savings Banks "are a most powerful instrument of civilization; above all, School Savings Banks, which transform the habits of a people through the moral and economical education they afford the children."

As I have said before, experience has shown that many of the evils which weigh most seriously on the industrial classes in this country are the results of improvidence and waste. But some of the evils admit, at least, of practical remedy. To learn how to economize slender resources, how to resist temptation to needless expenditure, and how to make reasonable provision for future contingencies, is an important part of education. Such knowledge is calculated to protect its possessor from much trouble and humiliation, and to help him greatly in leading an honorable, useful, and independent life. In mature years, it is found impossible to apply it in practice. But, in a school, much may be done to render its acquisition easy to children and to show them the advantages of economy and foresight. Economy, however, is a habit; and it is to be learned, like other habits, rather by practice than by precept. During the school life of a child there arise many temptations for the wasteful expenditure of small sums, and many occasions on which, if the opportunity were offered, such sums might be usefully and wisely saved. The child who is helped to deny himself some trifling present gratification, who is encouraged to save by degrees a few dollars, and who finds this sum available for the purchase of necessaries for helping his parents at a time of family misfortune, or ultimately for his own equipment on leaving school for work, has received a lesson of forethought and self-restraint, which will probably abide with him for life. The value of such a lesson is not to be measured solely by its effect on the scholar's own character and welfare. Thrift and temperance are very nearly allied. Each is helpful to the other; and, having regard for the enormous national waste caused by intemperance, there can be little doubt that, if the people of our country were more temperate and thrifty, our trade and the profitable employment of our people therein would be very greatly increased.

No words of mine could add weight to these considerations. They bring clearly before us why it is that, though the working classes of America are better paid than those of other countries, they are nevertheless not much better off, and that in this, the richest country in the world, there is as much poverty in its direst form to be found as anywhere else. The fact is that the people know as little how to spend their money as how to save it. They excel only in squandering it, forgetting that an industrious and thrifty man will pass victoriously throughout all the battle of life, and that thrift is the lantern which will enlighten his way.

The clearest explanations and the most vivid descriptions of the benefits of thrift and prudence avail little with the common run of children, apart from the practical and, to the children, the intensely interesting lessons of school banking. Explanations and descriptions are abstractions: putting pennies in a bank and possessing a bank book are realities. And children as much as grown-up people need the living force of act to give reality to words.

Though the importance of School Savings Banks has been so long acknowledged to be invaluable in the Old World, America has failed to take the lead in this respect that she has in enterprising schemes generally. This backwardness may find an apology in the indifference or prejudice of some of our educators.

THE IMPORTANCE OF TEACHING CHILDREN THRIFT AND ECONOMY.

It is of imperative necessity to teach our children the good use of money and the danger of its abuse, to teach them also to be useful in the circle wherein their vocation may call them, and to insist upon it that they be self-reliant and earn for themselves. Benjamin Franklin once said to a young man, "Whoever tells you that the condition of humanity can be ameliorated by any other means than labor and saving is your enemy, and would corrupt your judgment." In forming the character of our children, we ought to show them the benefit of education, and direct their thoughts towards the bettering not only of themselves as individuals, but those also with whom they come in contact; for goodness, as everybody knows, extends all around. Under our form of government, which gives to every citizen the rights and imposes upon him the duties of citizenship, it is a necessity of our time to extend the sphere of the education of our children so as to prepare them to conquer in the future the many difficulties that they

will be called upon to meet as tradesmen or ordinary laborers in competing with foreign labor and trade.

In selecting a vocation, we ought to put aside much of our first impressions. One boy will believe he is destined to be a military man, because he was smitten at first sight with the brilliant uniform of an officer. Another believes that his calling is to be a teacher, because he sees the power and the honor there is in being at the head of a small government, which the school really is. Neither one, however, stops to consider whether he possesses the qualifications necessary to fill the position he has thus chosen. Unhappily, too many follow the bent of their early inclinations, and then become members of that vast army who prove the truth of the saying, "A rolling stone can gather no moss." The advice of the parents and teachers would often be of incalculable value in the selection of an occupation. We ought to teach children that "all honest labor is honorable"; and, in choosing a profession, they need not blush if its nature should require that they wear a pair of overalls or that their hands become soiled, for the livery of a tiller of the soil or of an artisan is, to an educated person, the livery of independence and of honor.

In view of the fact that many of the avenues of labor are filled with women and girls, who thus crowd out the boys that previously performed the labor, the question is constantly asked, What shall we do with our boys? Just at the present time, the different learned professions are amply supplied, and many avenues of employment either crowded or altogether closed. Machinery, with its new and varied improvements, has reduced the amount of hand labor. Steam navigation has lessened the number of sailors, and the proportionally small number of ships now engaged in the trades are partially or entirely manned by foreigners. In many departments, much labor which would seem to call for male youth is now largely performed by women or young girls: their duties include clerical positions, telegraphy, type-writing, etc. This new order of things makes competition more active, and gives our boys fewer chances than there were fifty years ago. But this country is so large in area and resources, and its interests and demands are so varied and multifarious, there is always something new turning up out of which the more industrious and ambitious young man will be able to gain a comfortable livelihood. It stands to reason, however, that all boys cannot achieve wealth and fame; but, as the years roll by, the proportion of fortunate ones will constantly be

on the increase. What is needed more than anything else to add to the usefulness and honor of coming generations is a higher and fuller appreciation of the dignity of hand labor.

There is no longer any excuse or reason to find among us a class of people whose indifference and lack of energy oblige them to accept whatever may cross their path in life, in order to earn their bread and butter and to save a little for the evening of life. But, unfortunately, to-day many of our strong workmen are on the verge of pauperism; and, what is worse still, in a short time, through sickness or permanent physical disability, they may become a charge upon public or private charity by reason of their indolence or want of energy during the spring-time of life. Within the past few years much discontent has been occasioned among the working classes in several of the leading industries of America by the influx into our midst of a large number of emigrants from the different nations of the Old World. A majority of them are unwilling to work and earn an honest living: some have posed as leaders of party, in order to gain a more than comfortable living thereby, inciting their fellow-countrymen to rebel against capital; and the result has been something deplorable in many cities of the Union.

Many theories of a Socialistic character are daily and steadily poisoning the surrounding atmosphere of our workshops, while a number of pessimists are aiming their dastardly weapons at the very heart of our social prosperity. I may say here that, as a whole, our true American workingmen are intensely suspicious of Socialists, and by no means inclined to share the benefit of their hard toil with a lot of ruffians who are determined to exert themselves as little as possible. Permit me, at this juncture, to relate a story that came to me some months ago through a European exchange. I give it verbatim: One of the Rothschilds was waited upon by a Socialist, who urged his views about the distribution of wealth at great length and much to the banker's weariness. At last, Rothschild said, "Will you leave the room if I yield to your protestations and give you your share of the world's wealth?" "I will," was the reply. "Then I have made a rapid calculation while you have been talking, and your share is two francs: here it is; leave the room immediately." I let the reader draw his own conclusion of the moral of this story.

The habits of industry and thrift incline men to the side of order and respectability; and, in general, it is the lazy and idle class, who possess nothing, who are on the side of disorder, in

the hope that in the general scramble something may come to them. It may be well, therefore, to advise our well-meaning American tradesmen not to meet Socialism by argument or force, but by inducing the "Have-nots" to join the order of the "Haves" through teaching them to work, to save, and to be on the side of order.

So much in defence of the dignity of hand labor, which has been considerably impaired by the absence or non-enforcement of a law restricting the landing upon our shores of the overflow and outcasts of other countries. Nearly all these are of races difficult of assimilation with an Anglo-Saxon people, as they are deficient in intellect, wanting in industry and purpose, and characteristically opposed to us in politics. This dark tide has left its mark on our shores, as is partially disclosed by the last census. I take, for instance, the last return in New York: Out of 68,520 committed paupers, 41,454 are of foreign birth. Of the total number of insane in our institutions, 58 per cent. are of foreign origin; while two-thirds of the convicted criminals were aliens. Since 1872, some 5,396,416 immigrants have landed upon our shores; and only 619,152 of these have professed to have any trade.

These figures, eloquent though they be, tell but a small part of the sad story of injury that is being done in America to labor, to public morality, and to the public treasury by reason of unrestricted immigration. A remedy for the evil might be found in the enactment of a law which would empower our consuls abroad to prevent the departure to the New World of Bohemians, Polanders, Russian Jews, and such other races of Central and Southern Europe as are particularly objectionable.

"Come unto me, all ye that are weary and heavy-laden, and I will give you rest."

America is willing ever to remain the home of the free and the oppressed, and to open an asylum to all unfortunate and persecuted people; but it must not continue to be a receptacle for the social scum of other countries, and be called upon to disburse largely of its revenues for the support of houses of charity and correction for their accommodation.

CONCLUSION.

It should be our endeavor to reach the end pointed out in the foregoing pages. Of the wisdom and necessity of making an immediate start in many more schools, I entertain no doubt. The

idea is of as much importance to humanity as is steam as a means of traction, and as simple of demonstration as the egg of Christopher Columbus.

The School Savings Bank is the beacon light which passed from one school in 1885 to thirty-four more in 1888, and the place above all others where its light should be kindled is where the young are met together in those great American temples of education which the people have built in every town and village in the country. The introduction of the system has been made without friction or embarrassment of any sort, but rather has met with substantial and universal commendation. What is needed at present for its general introduction is the co-operation of all those who are interested in the welfare of our children, and particularly of all the members of the American Social Science Association.

THE OPERATIONS OF SCHOOL SAVINGS BANKS IN THE UNITED STATES TO JULY 1, 1888.

No. Ord'r	Cities and Schools having Banks.	Date of Introduction.	No. of Scholars		Amount		
			On Register.	Depositors to Date.	Deposited.	Withdrawn.	Due Depositors.
1	Long Island City, 3d Ward Grammar, Dutch Kills,	Mar. 16, 1885,	552	541	$4,417.25	$1,904.26	$2,512.99
2	Long Island City, 3d Ward Primary, Ravenswood,	Oct. 4, 1886,	198	125	430.07	126 23	303.84
3	Long Island City, 1st Ward,	Oct. 4, 1886,	1,075	359	2,027.02	603.46	1,423.56
4	Bayshore, L.I., District No. 1,	Sept. 20, 1886,	120	101	481.49	115.91	365.58
5	Bayshore, L.I., District No. 8,	Sept. 20, 1886,	190	78	447.90	96.46	351.44
6	Islip, Long Island, N.Y.,	Sept. 20, 1886,	265	125	856.13	238.81	617.32
7	Amsterdam, N.Y., St. Mary's Institute, *a*	April 4, 1887,	595	250	2,457.91	30.00	2,427.91
8	Amsterdam, N.Y., Public School, District No. 8,	April 4, 1887,	475	206	877.06	30.00	877.06
9	Amsterdam, N.Y., Public School, District No. 11, *b*	April 4, 1887,	850	210	800.00	50.00	750.00
10	Port Jackson, near Amsterdam,	April 11, 1887,	154	63	349.70	55.20	294.50
11	McCook, Neb.,	Oct. 4, 1886,	350	194	398.50	124.50	274.00
12	Lincoln, Neb., 6 Public Schools,	Feb. 23, 1887,	3,500	950	4,194.79	2,052.97	2,141.82
13	Carlisle Barracks, Pa., Indian Industrial School,	June 15, 1881,	690	430	9,098.75*c*	6,563.38	2,535.37
14	Beloit, Wis., Public School,	Feb. 27, 1882,	250	110	100.00	100.00	2,535.37
15	Rutland, Vt., 4 Public Schools, *b*	Dec. 23, 1885,	1,200	503	1,582.99	100.00	1,582.99
16	Elmira, N.Y., 1 School, *b*	Oct. 7, 1886,	652	253	802.37	156.34	646.03
17	Beloit, Wis., Industrial School of Friendly Society,	Dec. 7, 1885,	70	35	105.00	156.34	105.00
18	Tribes Hill, near Amsterdam, Public School,	Dec. 7, 1887,	57	19	72.90	156.34	72.90
19	Hornellsville, N.Y., 5 Public Schools,	Jan. 3, 1888,	1,604	770	1,226.98	13.80	1,213.18
20	Long Island City, 4th Ward Grammar, Astoria,	Jan. 9, 1888,	760	443	1,891.14	55 08	1,836.06
21	Long Island City, 4th Ward Primary, German Settlement,	Jan. 9, 1888,	265	170	415.86	35.15	380.71
22	Amsterdam, N.Y., Children's Home Association,	Jan. 9, 1888,	40	20	*	*	*
			13,912	5,955	$33,033,81	$12,321.55	$20,712.26

Note.—The system has been introduced in 35 schools in the United States, under the management of 282 teachers and 22 superintendents and principals, and in 5 different States of the Union, to July 1, 1888.

a The first Catholic parochial school in the United States to introduce the system. *b* Partly estimated from statistics of Jan. 1, 1888.

c In this sum is included $2,440.92 due depositors Jan. 1, 1888; real collection from January to July 1, 1888, $6,657.83.

* The children of the Home are sent to the public schools, and their deposits are included in the amount of their respective schools. It is the first benevolent institution in the United States to adopt the system.

The following resolution was proposed, after the reading of Mr. Thiry's paper on School Savings Banks, and referred to the Council of the Association for further consideration: —

Resolved, That the American Social Science Association heartily commends the system of school savings banks so successfully introduced in this country by Mr. J. H. Thiry and others, as shown in his report concerning thirty-five of those schools in which the system has demonstrated its usefulness as a powerful auxiliary in contending against intemperance, vice, and crime; and that we favor all proper means for the introduction of savings banks by the authorities into the public schools throughout the country.

This resolution will be considered at the December meeting of the Council in New York City, which will take place at the office of the Treasurer, 54 Wall Street, at 1 P.M., Dec. 18, 1888.

JOURNAL

OF

SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION.

NUMBER XXVI.

FEBRUARY 1890.

SARATOGA PAPERS OF 1889.

PART I.

JURISPRUDENCE, EDUCATION, AND SOCIAL ECONOMY PAPERS.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

DAMRELL & UPHAM, BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK.

1890.

EDITED BY

F. B. SANBORN,

GENERAL SECRETARY OF THE ASSOCIATION,

CONCORD, MASS.

SPECIAL NOTICE.— During the absence of Mr. SANBORN in Europe, from Feb. 5 to Aug. 10, 1890, communications for him may be sent to

REV. JOHN GRAHAM BROOKS,
Brockton, Mass.

Press of Geo. H. Ellis, 141 Franklin Street, Boston.

CONTENTS OF JOURNAL No. XXVI.

	PAGE
INTRODUCTION,	v
GENERAL MEETING OF 1888,	vi
CONSTITUTION, LIST OF OFFICERS, AND PUBLICATIONS,	xi–xxiv
I. PAPERS AND DEBATES OF THE DEPARTMENT OF JURISPRUDENCE:	
1. THE ECONOMIC LAW OF MONOPOLY. PRESIDENT E. B. ANDREWS,	1–12
2. CONSTITUTIONAL GUARANTEES OF THE RIGHT OF PROPERTY. GEORGE HOADLY,	13–54
3. EDUCATION AS A CURE FOR CRIME. S. T. DUTTON,	55–65
4. IMMIGRATION AND CRIME. W. M. F. ROUND,	66–78
5. THE DEAD HAND. DR. H. L. WAYLAND,	79–90
II. PAPERS OF THE EDUCATION DEPARTMENT:	
1. INDUSTRIAL TRAINING OF THE DEFECTIVE CLASSES. DISCUSSION BY PRESIDENT GALLAUDET, GENERAL BRINKERHOFF, DR. BRYCE, F. B. SANBORN, MISS ALICE COOKE, ETC.,	91–106
2. POPULAR FALLACIES CONCERNING THE INSANE. DR. PLINY EARLE,	107–117
III. PAPERS OF THE SOCIAL ECONOMY DEPARTMENT:	
1. REPORT ON CO-OPERATIVE BUILDING AND LOAN ASSOCIATIONS,	118–125
2. SOCIALISM IN ENGLAND. PERCIVAL CHUBB,	126–144

INTRODUCTION.

The papers included in this number of the *Journal of Social Science* are less than half of the Saratoga papers of 1889. As some misapprehension may exist in regard to the publication of papers by the Association, it may here be said that all papers engaged for the General Meeting of the American Social Science Association are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide. If, therefore, the writers choose to publish their papers elsewhere (to which the Council offers no objection), it must be with the stipulation that these papers may also be published in the *Journal*, at the option of the Council as to the time of publication.

A list of all the addresses and papers at the meeting of 1889 is printed on pages vi and vii. Those belonging to the Department of Health are withheld until later.

The papers of the Jurisprudence Department are here printed in full, except the address of Professor Wayland, which was not reported.

It is hardly needful to say that the Association does not make itself responsible for the opinions expressed in the papers and reports read at Saratoga and published in this *Journal*. It furnishes an opportunity to present many views on many subjects; and each speaker is open to criticism at the meetings and afterwards, when his views are published. We aim specially at giving information collected by experienced and well-trained persons, so that whatever we print shall have a special value; but for the inferences drawn or the statements of opinion given we assume no responsibility.

At the next General Meeting in Saratoga, from Sept. 1–5, 1890, a record of the progress made in Social Science during the twenty-five years that our Association will then have existed will be attempted, and will form, in some degree, the special interest of the meeting. It is the hope of the Committee on Membership and Finances, appointed at Saratoga last September (President WHITE and Messrs. F. J. KINGSBURY, ANSON PHELPS STOKES, J. G. BROOKS, and FRANCIS WAYLAND), that the number of members will by that time be largely increased, and some feasible plan adopted for combining the labors of many societies, clubs, and classes, for the study of Social Science, under the general direction of the American Social Science Association.

BOSTON, Feb. 1, 1890.

GENERAL MEETING OF 1889.

The General Meeting of this Association for 1889 took place at the Bethesda Parish House, Saratoga, Tuesday, September 3–6, 1889. In consequence of the absence in Europe of the President, ANDREW DICKSON WHITE, LL.D., the Annual Address was omitted, and the sessions commenced on Tuesday morning, September 3, proceeding as follows: —

TUESDAY, SEPTEMBER 3.

Department of Education.

At 9.30 A.M. Address of the Chairman, F. B. SANBORN.

At 10 A.M. A Paper by Rev. JOHN GRAHAM BROOKS, of Brockton, Mass., on *Economic and Social Education in France,—the Le Play Society, and its Organ, "La Réforme Sociale."*

At 11 A.M. A Discussion on *Industrial Education for Defectives.*

At 12 M. A Paper by Miss ALICE R. COOKE, of Sandwich, Mass., on *Training Insane Women in Domestic Industry.*

At 8 P.M. Report of the General Secretary, F. B. SANBORN, of Concord, Mass.

At 8.30 P.M. An Address by Hon. GEORGE HOADLY, LL.D., of New York, on *The Effect of Recent Judicial Decisions on the Constitutional Guarantees of the Right of Property.*

WEDNESDAY, SEPTEMBER 4.

Department of Health.

At 9 A.M. Remarks by the Chairman of the Department, Dr. H. HOLBROOK CURTIS, of New York.

At 9.30 A.M. A Paper by Dr. PLINY EARLE, of Northampton, Mass., on *Popular Fallacies concerning the Insane.*

At 10 A.M. A Report by Dr. STEPHEN SMITH, of New York, on *The Commitment and Care of the Insane*, followed by a Discussion.

At 11.30 A.M. A Paper by Dr. LOUISE FISKE BRYSON, of New York, on *The Dangerous Classes and the Modern Doctor.*

At 12.30 P.M. A Paper by Dr. FREDERICK PETERSON, of New York, on *Electricity as a Death Penalty.*

At 8 P.M. A Paper by Rev. CHARLES R. TREAT, of New York, on *Burial Customs in their Relation to Health* (illustrated by the stereopticon).

At 9 P.M. A Paper by Dr. CHARLES A. HARVEY, of New York, on *The Best Sanitary Disposition of the Dead.*

THURSDAY, SEPTEMBER 5.

Department of Jurisprudence.

At 9.30 A.M. An Address by the Chairman of the Department, Professor FRANCIS WAYLAND, of New Haven, Ct.

At 10 A.M. A Paper by S. T. DUTTON, Esq., of New Haven, Ct., on *Education and Crime.*

At 11 A.M. A Paper by W. M. F. ROUND, Esq., of New York, on *Immigration in its Relation to Crime in America.*

At 12 M. A Paper by President E. B. ANDREWS, of Brown University, on *The Economic Law of Monopoly.*

At 8 P M. Election of Officers.

At 8.30 P.M. A Paper by Rev. H. L. WAYLAND, D.D., of Philadelphia, on *The Dead Hand.*

FRIDAY, SEPTEMBER 6.

Department of Social Economy.

At 9 A.M. An Address by the Chairman, F. B. SANBORN.

At 9.30 A.M. Reports on *Co-operative Banks and Building Associations, School Savings Banks*, etc.

At 10 A.M. A Paper, *What a Reforming President could do with the Civil Service*, by E. S. NADAL, Esq., of New York.

At 10.30 A M. A Paper by EDWARD T. POTTER, Esq., of Newport, R.I., on *A System of Concentrated Residence.*

At 11 A.M. A Paper by PERCIVAL CHUBB, Esq., of London, Eng., on *Practical Measures of Socialism in England.*

At 12 M. A Paper by Professor THOMAS DAVIDSON, of New York, on *The Source of Economic Law.*

The list of officers elected will be found on a subsequent page; and the Department Committees, as organized since September by the Council, are given in the same connection.

The Department of Education, in consequence of the serious illness of the Secretary, Mr. H. G. WADLIN, did not bring forward the expected Papers so fully as was desired, and the time assigned to that Department was therefore filled up with other subjects to some extent. This will account for the introduction of topics not usually considered educational, in the discussions of September 3; and, as the Paper of Dr. EARLE, though read on the 4th of September, relates to the topic most debated on the 3d, it is printed in connection with the debate on Miss COOKE'S Paper. The other Papers of the Health Department are withheld until the next issue of the *Journal;* but it seems proper here to print a communication made to the Association on Wednesday, September 4, on a subject of growing importance, by one of our younger members: —

THE ADVANTAGES OF CREMATION.

LENOX, Sept. 2, 1889.

To the Members of the American Social Science Association:

GENTLEMEN,— I shall trespass upon your generosity for a few moments to call your attention to a suggestion which, at this time, seems to me most opportune.

The question of the proper disposal of the dead, especially in the neighborhood of our large cities, is yearly becoming more important and pressing. Of late years great improvements in cremation have led many to believe that incineration furnishes a satisfactory solution of this much mooted and vitally important question.

Early in the present year, the United States Cremation Company and the New York Cremation Society jointly issued a circular letter, addressed to prominent persons in the various callings of life, asking for a statement of their opinions in regard to cremation. Any one who has read the little pamphlet containing the answers received to this letter must be convinced, however unwillingly, that the great majority of these writers, among whom are many of the prominent divines, physicians, and scientists of this and other countries, favor and uphold cremation on sanitary, economic, and religious grounds.

I doubt if any single act has done as much to strengthen the position of cremation and to dissipate religious objections to it as Bishop Potter's letter, which I here transcribe.

"DIOCESAN HOUSE, 29 LAFAYETTE PLACE,
NEW YORK, Jan. 22, 1889.

"*My dear Sir*,—In reply to your inquiry of the 21st instant, I beg to say that I have no prejudices unfavorable to cremation; and, indeed, in view of the curiously inadequate and singularly unintelligent arguments, attacks, and denunciations, which have been employed by those who are hostile to it, I have been rather disposed to sympathize with those who are seeking to introduce it. But the argument of most effect in its behalf is one which must be made by scientific men, and especially by physicians. I wait to hear more explicitly and more fully from these; for, when it can be shown that any such plan best conduces to the health and well-being of large communities, it will be likely to find general acceptance. Very truly yours,

"H. C. POTTER."

What proof could more conclusively dispel any religious objection to cremation than this simple, straightforward letter from one of our highest religious authorities? The sanitary, economic, and sentimental aspects Bishop Potter properly leaves to specialists in these subjects. We have only to turn over the leaves of our little pamphlet and to read the names of such men as Sir Henry Thompson, Dr. Bache Emmet, Charles Eliot Norton, and many others, to convince ourselves that objections on these scores have been properly and effectually disposed of.

Cremation to-day stands on a firmer footing than ever before, and it is only the universal spirit of conservatism — a spirit which in time must yield to common sense, reason, and necessity — which now prevents the general adoption of incineration as the only proper means for disposing of the dead. Now, the suggestion I have to offer is, briefly stated, as follows: Plans for the building of a Protestant Episcopal cathedral in New York have already progressed so far that it seems only reasonable to expect that in a few years the requisite money will be raised and the long wished for cathedral at last be built. It is very appropriately purposed to make this the largest and most beautiful House of God in our land, and it will naturally become the centre of religious interest in America. It has also been suggested that the cathedral be used as a Westminster Abbey, and that the bodies of our illustrious dead be interred within its walls, or at least that it serve as a repository for tablets to their memory. But why confine the blessing of a resting-place in this, one of the most sacred

spots in our country, to the favored few who are fortunate enough to obtain this distinction? Has not every Christian an equal claim to the protection of the Church? The rich and the poor, the statesman, poet, writer, and laboring man are all equal in the sight of God.

The crypt alone of the new cathedral will, I am confident, be large enough to serve as a columbarium for tens of thousands of our dead, for the urns in which the ashes are placed after incineration occupy less than half of a cubic foot each.

It is perhaps needless for me to add that there can be absolutely no odor nor impurity of any kind connected with the ashes, which are a pure white, pearly powder, or bone-ash.

Obviously, no changes of any importance would be necessary in the plans for the cathedral, except that niches should be provided in the walls of the crypt for the reception of the burial-urns. For compactness and economy's sake, it might be well that some of the receptacles be simply holes bored in the stones of the walls, in which the ashes could be placed and the openings covered by simple tablets.

The comparatively insignificant expense involved in making these slight additions to the cathedral plans would be defrayed by the charge for the niches which might be made to vary according to size and position, but which, in every case, would be far less than for a burial-lot in any cemetery. Indeed, I am confident that the sale of niches would prove a source of no little pecuniary benefit to the building fund of the cathedral.

Trusting that these suggestions may meet with your approval, and that some definite success may result, I remain,

Very respectfully,

I. N. PHELPS STOKES.

The Association was represented at the Paris Congress of Provident Institutions by Mr. TOWNSEND and others, and we have from Mr. TOWNSEND the following report: —

REPORT ON THE PARIS CONGRESS.

F. B. SANBORN, Esq., General Secretary of the American Social Science Association:

The third quinquennial International Congress of Provident Institutions was held at the Palace of the Trocadero in connection with the Universal Exhibition at Paris, September 2 to 7, inclusive. The opening session was presided over by Mr. Jules Simon, of the French Academy. On the platform, among the honorary presidents and vice-presidents, were General William B. Franklin, commissioner of the United States to the Exhibition, Mr. S. P. Tuck, deputy commissioner, and the chairman of your delegation. In his address of welcome, the president spoke of the presence of delegates from the United States and Brazil as showing the influence of French thought on distant lands, and noted the importance of their presence, representing, as some of them did, distinguished scientific associations.

The members of the Congress included statesmen and financiers of France, Belgium, Italy, Switzerland, Holland, Portugal, Norway, Russia, England, Germany, the United States, and Brazil.

The paper on savings-banks in the United States, prepared by the chairman of your delegation, was well received, and its reading

listened to with attention by the Congress at its session on the second day; and wonder and admiration were expressed at the marvellous progress of the great republic, as shown in the thrift of individuals, the good character of their investments, and in other respects which make a people happy and contented.

The incidental paper by John S. White, LL.D., on physical, combined with economical and moral, education in our schools and colleges, was warmly commended. Mr. J. H. Thiry's paper on school savings-banks in the United States was received with favor, as showing the influence of European economy on the rising generation in America.

These three papers had been translated into French, and were understood and appreciated by members present; but the remaining papers and documents of which we were the bearers, being only in English, were received and read privately by those familiar with our language, but did not have the general indorsement and commendation which their importance and merit deserved and would have obtained, had they been translated into the vernacular. Your chairman, however, had many questions to answer, particularly in regard to co-operative building loan associations, which attracted the attention of the principal delegate from Belgium, Baron T'Kint de Roodenbeke, Vice-President of the Belgian Senate and President of the Permanent Commission of the Societies of Mutual Aid of Belgium, who said it was proposed to establish these associations in the neighborhood of Brussels.

Great attention was given to papers concerning mutual aid and friendly societies for the benefit of workingmen. A report from Belgium, with explanations of the workings of a system of a co-operative pharmaceutical society, which supplies medicines and remedies of the best quality at astonishingly reduced prices, was warmly applauded.

Postal savings-banks, outside of Great Britain, were reported to have met with disfavor. The system has been in practice in France for some years. At first, it made considerable progress; but the necessary publicity required for its operations has induced a withdrawal of deposits, and the people are returning to the older institutions. Mr. Lombard, President of the Society of Public Utility at Geneva, pointed out in his communication that the general opinion in Switzerland was not favorable to the establishment of postal savings-banks there. From the other European States no reports were read on postal banks, but it was understood that they were not highly esteemed in any of the countries on the Continent. All other banks and societies to aid the working classes, small traders, railroad employees, and to teach school children lessons of thrift, were explained and commended, and their extension favored.

The usual banquet was given by members of the Congress at its close, which was attended by one of your delegation.

The postponement of the opening of the Congress from July to

September prevented several of your delegates from attending its sessions; and but two of them were present at any time, and only one was present at every session.

The marked civilities and courtesies bestowed on two of your delegates by the President of the Republic, Mr. Carnot, and the President of the Council of Ministers, Mr. Tirard, which were largely on account of their connection with your Association, were very gratifying. The official recognition, also, of our national anniversary by the government of France and the city of Paris were indications of the esteem in which our country and its institutions are held by the French people.

The fourth session of the Congress of Provident Institutions, according to tradition, will be held in Paris in 1894; but the chairman of your delegation ventured the suggestion that the Congress would be welcome in New York in 1892 at an intermediary session, if the Universal Exhibition is held in that city in that year. This informal invitation was received with marked favor, and many delegates expressed their personal gratification and a desire to go from old Europe to visit the New World and take part in the fourth Congress in the four hundredth year after the discovery of America, to see with their own eyes the march of progress of which they had heard so much.

Respectfully submitted,

JOHN P. TOWNSEND, *Chairman.*

NEW YORK, November, 1889.

CONSTITUTION, LIST OF OFFICERS, MEMBERS, ETC.,

OF THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

CONSTITUTION.

I. This Society shall be called the AMERICAN SOCIAL SCIENCE ASSOCIATION.

II. Its objects shall be classified in five departments: the first, of Education; the second, of Health; the third, of Trade and Finance; the fourth, of Social Economy; the fifth, of Jurisprudeuce.

III. It shall be administered by a President, as many honorary Vice-Presidents as may be chosen, a Treasurer, a Secretary, and a Council, charged with general supervision; five Department Committees, established by the Council, charged with the supervision of their respective departments; and such Local Committees as may be established by the Council at different points, to serve as branch associations. The Council shall consist of the President, Treasurer, and Secretary, the Chairman and Secretary of each Department, and ten Directors, with power to fill vacancies and to make their own By-Laws. The President, Vice-Presidents, Treasurer, Chairman, and Secretaries of Departments, and Directors shall be chosen annually by members of the Association, and shall hold office till their successors are chosen. The President, or, in his absence, a Director, shall be Chairman of the Council. The Chairman of the Local Committees shall be chosen at the pleasure of their respective committees. Whenever a Branch Association shall be organized and recognized as such by the Council, its President shall be *ex-officio* one of the Vice-Presidents of the American Association, and, together with the Secretary and Treasurer, shall be entitled to all the privileges of membership in that Association; and, whenever a Local Department shall be organized and recognized as such by the Council, its chairman shall become *ex-officio* a member of the parent Association. The Chairman and Secretary of each Department, with the consent of the President of the Association, may appoint such special Department Committees as they may think best. The General Secretary shall be elected for three years, unless he resigns or is removed by a two-thirds' vote of the members present and voting in a regular meeting of the Council; and, out of his compensation, he may pay the salary of an Assistant Secretary, who may also be Secretary of one Department.

IV. Any person may become a member by paying five dollars, and may continue a member by paying annually such further sum as may be fixed at the Annual Meeting, not exceeding ten dollars. On payment of one hundred dollars, any person may become a life member, exempt from assessments. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The Council shall have sole power to call and conduct General Meetings, and to publish the Transactions and other documents of the Association. The Department Committee shall have power to call and conduct Department Meetings.

VI. No amendment of this Constitution shall be made, except at an annual meeting, with public notice of the proposed amendment.

American Social Science Association.

(Founded in 1865.)

OFFICERS OF THE ASSOCIATION.

1889-90.

President, ANDREW DICKSON WHITE, Ithaca, N.Y.

First Vice-President, CARROLL D. WRIGHT, Washington, D.C.

Vice-Presidents.

FRANCIS WAYLAND, New Haven, Ct.
DANIEL C. GILMAN, Baltimore, Md.
MARTIN B. ANDERSON, Rochester, N.Y.
WILLIAM T. HARRIS, Washington, D.C.
RUFUS KING, Cincinnati.
Mrs. JOHN E. LODGE, Boston.
LUCY M. HALL, M.D., Brooklyn, N.Y.
Mrs. CAROLINE H. DALL, Washington, D.C.
E. BENJAMIN ANDREWS, Providence, R.I.
JOHN EATON, Marietta, Ohio.
GRACE PECKHAM, M.D., New York.
HENRY B. BAKER, Lansing, Mich.
W. H. DAVIS, Cincinnati.
PLINY EARLE, Northampton, Mass.
HENRY VILLARD, New York.
HUGH THOMPSON, Washington, D.C.
JOHN M. GREGORY, Washington, D.C.
R. A. HOLLAND, St. Louis, Mo.

General Secretary, F. B. SANBORN, Goncord, Mass.

Treasurer, ANSON PHELPS STOKES, 54 Wall St., New York.

Directors.

DORMAN B. EATON, New York.
CHARLES A. PEABODY, New York.
F. J. KINGSBURY, Waterbury, Conn.
T. W. HIGGINSON, Cambridge.
JOHN W. CARTER, Boston.
H. L. WAYLAND, Philadelphia.
JOHN L. MILLIGAN, Allegheny, Pa.
GEORGE W. CABLE, Northampton, Mass.
DANIEL H. CHAMBERLAIN, New York.
THEODORE ROOSEVELT, New York.

Department Officers.

I. *Education.*—E. M. GALLAUDET, Washington, *Chairman;* HORACE G. WADLIN, Boston, *Secretary.*

II. *Health.*—H. HOLBROOK CURTIS, M.D., 29 W. 30th St., New York, *Chairman;* FREDERICK PETERSON, M.D., 201 W. 54th St., New York, *Secretary.*

III. *Finance.*—JOHN P. TOWNSEND, 53 E. 54th St., New York, *Chairman;* SETH S. TERRY, 45 William St., New York, *Secretary.*

IV. *Social Economy.*—F. B. SANBORN, Concord, *Chairman;* Rev. JOHN GRAHAM BROOKS, Brockton, Mass., *Secretary.*

V. *Jurisprudence.*—Prof. FRANCIS WAYLAND, New Haven, *Chairman;* Prof. WILLIAM K. TOWNSEND, New Haven, *Secretary.*

Executive Committee.

A. D. WHITE, *President;* F. B. SANBORN, *General Secretary;* ANSON PHELPS STOKES, *Treasurer;* H. G. WADLIN, *Education Secretary;* Dr. F. PETERSON, *Health Secretary;* Prof. FRANCIS WAYLAND, *Jurisprudence Chairman;* JOHN P. TOWNSEND, *Finance Chairman;* Rev. J. G. BROOKS, *Social Economy Secretary.*

DEPARTMENT COMMITTEES, 1889–90.

Education Department.— Dr. E. M. Gallaudet, Washington, D.C.; Dr. S. F. Scovel, Wooster, Ohio; T. W. Higginson, Cambridge, Mass.; Professor W. T. Harris, Washington, D.C.; Justin Winsor, Cambridge, Mass.; Richard T. Auchmuty, New York; Professor Alpheus Hyatt, Boston; Louis F. Soldan, St. Louis, Mo.; Mrs. G. H. Palmer, Cambridge, Mass.; Professor W. H. Payne, Ann Arbor, Mich.; Miss Marian Talbot, Walter S. Parker, Horace G. Wadlin, Boston.

Health Department.— H. Holbrook Curtis, M.D., New York; E. M. Hunt, M.D., Metuchen, N.J.; Walter Channing, M.D., Boston; D. F. Lincoln, M.D., Boston; W. Gill Wylie, M.D., New York; Professor W. H. Brewer, New Haven, Conn.; George E. Waring, Jr., Newport, R.I.; J. S. Billings, M.D., Washington, D.C.; Henry B. Baker, M.D., Lansing, Mich.; E. C. Seguin, M D., New York; Mary Putnam-Jacobi, M.D., New York; Lucy M. Hall, M.D., Brooklyn, N.Y.; Grace Peckham, M.D., New York; B. Sachs, M.D., New York; Dr. Titus Munson Coan, New York; A. N. Bell, M.D., Brooklyn; Allen McLane Hamilton, M.D., New York; Cyrus Edson, M.D., New York; Professor Charles Doremus, New York; Frederick Peterson, M.D., 201 West 54th Street, New York.

Finance Department.— Jno. P. Townsend, 53 East 54th Street, New York; William L. Trenholm, New York; David J. Hill, Rochester, N.Y.; George S. Coe, New York; Francis A. Walker, Boston; Edward Atkinson, Boston; Professor H. W. Farnam, New Haven, Conn.; Professor Henry C. Adams, Ann Arbor, Mich.; Gamaliel Bradford, Boston; W. M. Ivins, New York; J. Sloat Fassett, Elmira, N.Y.; Martin W. Cooke, Rochester, N.Y.; Professor E. J. James, W. Philadelphia; Robert P. Porter, Washington, D.C.; Joseph Wright, Cincinnati; Professor J. W. Jenks, Galesburg, Ill.; C. C. Jones, Augusta, Ga.

Social Economy Department.— F. B. Sanborn, Concord, Mass.; Carroll D. Wright, Washington, D.C.; Robert Treat Paine, Boston; Rev. Washington Gladden, Columbus, Ohio; Charles L. Brace, New York; Rev. John L. Milligan, Allegheny, Pa.; Mrs. Clara T. Leonard, Springfield, Mass.; Miss Mary M. Cohen, Philadelphia; William D. Howells, New York; Miss Grace E. Dodge, New York; Miss Anna L. Dawes, Pittsfield, Mass.; Dr. Andrew D. White, Ithaca, N.Y.; Professor E. J. James, Philadelphia; Rev. J. G. Brooks, Brockton, Mass.

Jurisprudence Department.— Professor Francis Wayland, New Haven, Conn.; Hon. C. C. Bonney, Chicago, Ill.; Charles A. Peabody, New York; Professor Henry Hitchcock, St. Louis, Mo.; Rufus King, Cincinnati; Professor Carleton Hunt, New Orleans; Professor T. W. Dwight, New York; F. L. Wayland, Philadelphia; B. H. Bristow, New York; Emerson Etheridge, Dresden, Tenn.; C. J. Bonaparte, Baltimore; Theodore Bacon, Rochester, N.Y.; Theodore S. Woolsey, Professor William K. Townsend, New Haven, Conn.

MEMBERS OF THE ASSOCIATION.

[All Officers are *ex-officio* members of the Association; but persons serving on the Department Committees may or may not be members of the Association. In this present list, the annual members are given alphabetically, without reference to States; then the life members follow, classified by States; and, finally, the honorary and corresponding members. The only distinction between honorary and corresponding members is that the former reside in the United States, the latter in foreign countries. It is a rule of the Association to drop from the list of annual members those who have not paid their assessment for two years, but members so dropped can be restored to the list by paying their arrears. If former members do not find their names on the list as it now stands, it will generally be for the reason just mentioned.

No List of Members of the Association, as printed, can ever be quite complete, so many changes occur by death and withdrawal, the accession of new members, etc. The following list is as complete as the Secretary could make it up to Feb. 1, 1890; but, no doubt, the addresses of several members are wrong, and there are instances of names misprinted, etc., of which the Secretary will thank any person to notify him when the fact is observed.]

ANNUAL MEMBERS.

Adams, Mrs. Florence J., 286 Huron St., Chicago.
Adams, W. Irving, 423 Broome St., New York City.
Amory, Wm., 41 Beacon St., Boston.
Anderson, Rev. J., Waterbury, Conn.
Anderson, Dr. M. B., Rochester, N.Y.
Atkinson, Edw'd, 31 Milk St., Boston.
Avery, Edward H., Auburn, N.Y.
Baker, Henry B., State Board of Health, Lansing, Mich.
Baldwin, Prof. S. E., New Haven, Ct.
Barnum, Hon. Wm. H., Lime Rock, Conn.
Battell, Hon. Robbins, 74 Wall St., New York.
Beckwith, P. D., Dowagiac, Mich.
Beckwith, Miss, 68 Brown St., Providence, R.I.
Billings, Frederick, 170 Broadway, New York.
Bird, F. W., East Walpole, Mass.

Bissinger, Philip, 22 St. John St., New York City.
Blatchford, E. W., 375 La Salle Ave., Chicago, Ill.
Boardman, D. L., Troy, N.Y.
Bonney, C. C., Chicago, Ill.
Bowker, R. R., Brooklyn, N.Y.
Brace, Charles L., 24 St. Mark's Pl., New York City.
Bradford, Rev. A. H., Montclair, N.J.
Braman, J. C., 50 State St., Boston.
Brewster, Lyman D., Danbury, Conn.
Breed, W. J., Cincinnati.
Brinkerhoft, Roeliff, Mansfield, Ohio.
Brockway, Z. R., Elmira, N.Y.
Brooks, Rev. J. G., Brockton, Mass.
Brooks, Rev. Phillips, 233 Clarendon St., Boston.
Bruen, Rev. J. D. Hart, Belvidere, N.J.
Brühl, Dr. Gustav, 32 Hopkins St., Cincinnati, Ohio.
Bull, Dr. Charles Stedman, 51 West 36th St., New York City.
Bullard, W. S., 5 Mt. Vernon St., Boston.
Butler, Dr. John S., Hartford, Conn.
Chamberlain, D. H., 42 Wall St., N.Y.
Channing, Dr. Walter, Brookline, Mass.
Chase, George B., 234 Beacon St., Boston.
Church, Chas. R., 63 1st St., Troy, N.Y.
Church, Frederic E., Hudson, N.Y.
Clark, J. S., 7 Park St., Boston.
Clinton, H. L., 58 Park Avenue, New York.
Cohen, Miss Mary M., 242 S. 21st St., Philadelphia, Pa.
Collamore, Miss H., 115 Beacon St., Boston.
Collier, M. Dwight, 146 Broadway, New York.
Coolidge, T. Jefferson, 60 State St., Boston.
Corning, Erastus, 87 State St., Albany, N.Y.
Coxe, Eckley B., Drifton, Luzerne Co., Pa.
Crane, Rev. Oliver, Montclair, N.J.
Curtis, Geo. W., West New Brighton, Staten Island, N.Y.
Curtis, H. Holbrook, M.D., 29 West 30th St., New York.
Curtis, Mrs. Josephine A., 29 West 30th St., New York.
Dall, Mrs. Caroline H., Washington, D.C.
Davies, Julien T., 32 Nassau St., New York City.
Davis, A. McF., Cambridge, Mass.
Davis, Wm. H., 124 East Fourth St., Cincinnati, Ohio.
Dawes, Miss Anna L., Pittsfield, Mass.
Dexter, Seymour, Elmira, N.Y.
Dimock, H. F., Pier 11, N. R., New York City.
Dike, Rev. S. W., Auburndale, Mass.
Doughty, W. H., Troy, N.Y.
Draper, Dr. Joseph, Vermont Lunatic Asylum, Brattleboro, Vt.
Dreer, Ferdinand J., 1520 Spruce St., Philadelphia, Pa.
Dunning, Rev. A. E., 1 Somerset St., Boston.
Earle, Mrs. Ann B., 40 Summer St., Worcester, Mass.
Earle, Dr. Pliny, Northampton, Mass.
Eaton, D. Cady, New Haven, Conn.
Eaton, Dorman B., 2 East 29th St., New York City.
Eaton, Hon. John, Marietta, Ohio.
Edmands, A. Lawrence, P.O. Box 1425, Boston.
Eliot, C. W., LL.D., 17 Quincy St., Cambridge, Mass.
Eliot, Rev. T. L., Portland, Ore.
Farnam, H. W., New Haven, Conn.
Foote, Miss Mary B., 352 Howard St., Cambridge, Mass.
Foster, T. A., M.D., Portland, Me.
French, Francis O., 33 West 37th St., New York City.
Frothingham, Rev. Frederick, Milton, Mass.
Frothingham, Rev. O. B., 118 Marlboro St., Boston.
Frothingham, Mrs. O. B., 118 Marlboro St., Boston.
Gallaudet, E. M., LL.D., Washington, D.C.
Gano, John A., Cincinnati, Ohio.
Gates, Merrill E., LL.D., Pres. Rutgers College, New Brunswick, N.J.
Gilman, D. C., LL.D., Pres. Johns Hopkins University, Baltimore, Md.
Ginn, Edwin, 13 Tremont Pl., Boston.
Gladden, Rev. Washington, Columbus, Ohio.
Goddard, Miss Matilda, 251 Newbury St., Boston.
Graham, Miss Niel F., Falls Church, Fairfax Co., Va.
Graydon, Miss, 26 W. 48th St., New York.
Green, Jacob L., Hartford, Conn.
Greenough, W. W., 24 West St., Boston.
Gregory, J. M., Temple Court, New York.
Grew, Henry S., 89 Beacon St., Boston.
Groesbeck, W. S. Cincinnati, Ohio.
Hale, Geo. S, 10 Tremont St., Boston.
Hallowell, Mrs. R. P., West Medford, Mass.

Harding, George F., Chicago, Ill.
Harkness, Prof. A., Providence, R.I.
Harris, Wm. T., Washington, D.C.
Higginson, T. W., 25 Buckingham St., Cambridge, Mass.
Higginson, Waldo, Boston.
Hitchcock, Henry, 404 Market St., St. Louis, Mo.
Hitz, John, Washington, D.C.
Hoadly, George, 120 Broadway, New York City.
Holland, Rev. R. A., St. Louis, Mo.
Hollister, G. B., Cincinnati, Ohio.
Holt, Henry, 14 East 54th St., New York City.
Horsford, Prof. E. N., Cambridge, Mass.
Hotchkiss, Justus S., New Haven, Ct.
Howland, Richard G., Hope, R.I.
Hutchings, John, Lawrence, Kan.
Hyde, Rev. C. M., D.D., Honolulu, Sandwich Islands.
Jacobi, Dr. A., 110 West 34th St., New York City.
Jaques, David R., 38 Park Row, New York City.
James, Mrs. John W., 37 Newbury St., Boston.
James, Prof. E. J., University of Pennsylvania, West Philadelphia.
Jones, Fernando, 1834 Prairie Ave., Chicago.
Kellogg, Chas. D., 21 University Pl., New York.
Kellogg, Dr. John H., Battle Creek, Mich.
Kimball, B. A., Concord, N.H.
King, Rufus, Cincinnati, Ohio.
Kingsbury, F. J., Waterbury, Conn.
Lee, Henry, 40 State St., Boston.
Leete, Dr. James M., 2912 Washington Ave., St. Louis, Mo.
Leggett, Miss A. F., Saratoga Spring, N.Y.
Leonard, Mrs. C. T., Springfield, Mass.
Little, Moses, 63 Merrimack St., Lowell, Mass.
Livermore, Rev. A. A., Meadville, Pa.
Lyman, Arthur T., Boston.
Lynde, Mrs. Wm. P., Milwaukee, Wis.
McLeod, C. A., Troy, N.Y.
May, Rev. Samuel, Leicester, Mass.
McCandless, E. V., Pittsburg, Pa.
Means, William G., 40 Water St., Boston.
Mercer, George G., 330 Walnut St., Philadelphia.
Minot, Wm., Jr., 39 Court St., Boston.
Mitchell, Charles L., New Haven, Ct.
Mitchell, Mary A., Villa de Bouyn, Ave. des Fleurs, Nice, U.M., France.
Morey, Prof. W. C., Rochester, N.Y.
Neilson, James, New Brunswick, N.J.
Nordhoff, Charles, 1731 K Street, Washington, D.C.
North, Thomas M., 120 Broadway, N.Y.
Oliver, Mrs. Grace A., Salem, Mass.
Olmsted, Frederick Law, Brookline, Mass.
Paine, Robert Treat, 6 Joy St., Boston.
Parkman, Henry, Rogers Building, 209 Washington St., Boston.
Peabody, Charles A., 2 Wall St., New York City.
Pell, Alfred, 48 Pine St., New York City.
Post, H. C. von, P. O. Box 137, New York City.
Pool, Cyrus O., 106 West 29th St., New York.
Prang, Louis, 286 Roxbury St., Boston.
Putnam, Charles P., M.D., 63 Marlboro St., Boston.
Robbins, George A., Box 947, New York City.
Robinson, D. A., Bangor, Me.
The President of the Social Science Club, Ware, Mass.
Ropes, John C., 50 State St., Boston.
Ropes, Joseph S., 48 Congress St., Boston.
Rotch, Miss Joanna, Milton, Mass.
Round, W. M. F., 135 East 15th St., New York City.
Runkle, Prof. J. D., Brookline, Mass.
Salisbury, Stephen, Worcester, Mass.
Sawyer, Miss, 68 Brown St., Providence, R.I.
Schlesinger, Barthold, Boston.
Schuyler, Miss Louise Lee, 19 West 31st St., New York City.
Schwab, Gustavus, Box 137, New York City.
Scovel, Rev. Sylvester F., Wooster, Ohio.
Seguin, E. C., M.D., 419 Madison Ave., New York City.
Shattuck, George O., 35 Court St., Boston.
Slocum, Miss Jane M., Canandaigua, N.Y.
Smith, Eugene, 33 Pine St., N.Y.
Smith, Mrs. Frances A., 134 Circular St., Saratoga, N.Y.
Smith, George W., 115 Vernon St., Hartford, Conn.
Smith, H. D., Plantsville, Conn.
Smith, Roswell, Century Co., New York.
Smith, T. H., 218 La Salle St., Chicago.
Spear, C. V., Oberlin, Ohio.
Spencer, Mrs. Sara A., Washington, D.C.

Stearns, James S., 45 Williams St., New York City.
Stevenson, Robert H., 58 Chestnut St., Boston.
Stickney, George, Grand Haven, Mich.
Stokes, James, 59 Liberty St., New York.
Sullivan, Richard, 25 Mount Vernon St., Boston.
Sunderland, Rev. J. T., Ann Arbor, Mich.
Swartz, James S., 234 South 4th St., Philadelphia, Pa.,
Talbot, Mrs. I. T., 66 Marlboro St., Boston.
Talcott, J. B., New Britain, Conn.
Taylor, James R., 268 Henry St., Brooklyn, N.Y.
Thurber, F. B., 116 Reade St., New York City.
Titsworth, Rev. J., Milwaukee, Wis.
Townsend, John P., 53 East 54th St., New York City.
Townsend, Prof. W. K., New Haven, Conn.
Trumbull, Rev. H. C., Philadelphia, Pa.
Tweedy, Edmund, Newport, R.I.
Van Bibber, Dr. W. C., 26 W. Franklin St., Baltimore, Md.
Villard, Henry, Mills Building, New York City.
Waring, George E., Jr., Newport, R.I.
Warner, Charles Dudley, Hartford, Conn.
Wayland, C. N., 9 West 36th St., New York City.
Wayland, Mrs. Francis, New Haven, Conn.
Wayland, Rev. Dr. H. L., Philadelphia, Pa.
Weeks, Joseph D., Pittsburg, Pa.
Weeks, Mrs. Mattie F., Pittsburg, Pa.
Wells, Edward W., 34 Prospect St., Hartford, Conn.
White, Alfred T., 40 Remsen St., Brooklyn, N.Y.
White, Andrew D., Ithaca, N.Y.
White, Horace, 210 Broadway, New York City.
Wheeler, E. S., New Haven, Conn.
Wheeler, J. Davenport, care Prof. Francis Wayland, New Haven, Conn.
Willard, Miss Francis E., 161 La Salle St., Chicago, Ill.
Willson, Rev. Clarence H., Sag Harbor, N.Y.
Winthrop, Robert C., 90 Marlboro St., Boston, Mass.
Wolcott, J. Huntington, 53 Tremont St., Boston, Mass.
Wolcott, Mrs. Harriet F., Boston, Mass.
Wood, Frederick, 245 Broadway, New York City.
Wood, Rev. Horatio, Lowell, Mass.
Woolsey, Prof. Theodore S., New Haven, Conn.
Wright, Carroll D., Washington, D.C.
Wyman, F. A., 131 Devonshire St., Boston, Mass.
Young, Charles L., 71 Mount Vernon St., Boston, Mass.
Young, Henry L., Poughkeepsie, N.Y.

HONORARY AND CORRESPONDING MEMBERS.

In America.

Miss Elizabeth P. Peabody, Boston, Mass.
Henry Barnard, LL.D., Hartford, Conn.
Charles L. Brace, Esq., 19 East 4th St., New York.
Moncure Daniel Conway, Esq., New York, N.Y.
Major-Gen. O. O. Howard, Portland, Ore.
Edmund A. Meredith, Esq., Wellington St. East, Toronto, Can.
Rev. Frederick N. Knapp, Plymouth, Mass.
Hon. Domingo F. Sarmiento, Buenos Ayres.
Lewis A. Sayre, M.D., 795 Broadway, New York.
Prof. Daniel Wilson, Toronto, Can.

In Great Britain and Ireland.

Thomas Hughes, M.P., London.
Sir Walter Crofton, The Close, Winchester.
Prof. J. E. Thorold Rogers, M.P., Oxford.
Lord Radstock, London.
Miss Frances Power Cobbe, 24 Cheyne Walk, London, S.W.
Edwin Chadwick, Esq., C.B., Park Cottage, East Sheen.
Henry Dunning McLeod, Esq., Oxford and Cambridge Club, London.
Alfred Field, Esq., Birmingham.
Thomas H. Barker, Esq., Manchester.
G. W. Hastings, Esq., M.P., London.
Henry W. Acland, M.D., F.R.S., Oxford.
Miss Edith Simcox, London.
Miss Louisa Innes Lumsden, Glenbogie, Rhynie, Scotland.
Herbert Spencer, Esq., London.
Miss Frances Dove, St.. Andrews, Scotland.
Lord Hobhouse, 15 Bruton St., London.

In France.

M. Jules Simon, Paris.
M. Emile Muller, Paris.
M. Joseph Garnier, 14 Rue Richelieu, Paris.
M. August Laugel, 19 Rue de la Ville l'Evêque, Paris.
M. Emile Cacheux, Paris.
M. Emile Trelat, Paris.
M. F. Buisson, Paris.

In Germany.

Dr. Ernest Engel, Royal Statistical Bureau, Berlin.
M. Arthur Raffalovich, Frankfort.

In Italy.

Signor Martino Beltrani-Scalia, Rome.
Prof. C. F. Gabba, Pisa.
Princess Hélène Koltzoff Massalsky, Villa d' Istria, Florence.
Prof. Alberto de Errera, Cavaliere della Corona d' Italia, Venice.

In Greece.

Aristides Dossios, Athens.

In Hungary.

M. E. Horn, M.P., Budapest.

In Holland.

Dr. W. F. M. Gori, Amsterdam.
M. P. Buls, Brussels.

LIFE MEMBERS.

Illinois.

Myers, Sydney, Chicago.

Maine.

Hill, Rev. Thomas, Portland.

Massachusetts.

Angell, George T., Montgomery Place, Boston.
Barnard, James M., Boston.
Barnard, Mrs. James M., Boston.
Blatchford, J. S., 13 Exchange St., Boston.
Bradford, Gamaliel, 113 Exchange St., Boston.
Brimmer, Martin, 47 Beacon St., Boston.
Eliot, Mrs. Samuel, 44 Brimmer St., Boston.
Endicott, William, Jr., 10 Mount Vernon St., Boston.
Farwell, Mrs. A. G., 16 Beacon St., Boston.
Forbes, John M., 30 Sears Building, Boston.
Gray, Hon. William, 20 Mount Vernon St., Boston.
Lawson, Rev. Albert G., 41 Temple Place, Boston.
Little, James L., 2 Commonwealth Ave., Boston.
Lincoln, D. F., Boston.
Lodge, Mrs. J. E., 31 Beacon St., Boston.
Pierce, Hon. Henry L., 158 State St., Boston.
Robeson, William R., 212 Beacon St., Boston.
Sanborn, F. B., Concord.
Sanborn, Mrs. Louisa L., Concord.
Wigglesworth, Edward, M.D., 79 Boylston St., Boston.
Wolcott, Roger, 8 Pemberton Square, Boston.

New York.

Cole, William A., 41 Broad St., New York City.
Dike, Henry A., New York City.
Dodge, William E., Jr., 11 Cliff St., New York City.
Dodge, Charles C., New York City.
Field, David Dudley, 4 Pine St., New York City.
Field, Cyrus W., New York City.
Herrman, Mrs. H., 59 W. 66th St., New York.
Hewitt, Abram S., 17 Burling Slip, New York City.
Hoe, Col. Richard M., 29 Gold St., New York City.
James D. Willis, New York City.
Letchworth, W. P., Portageville.
Libbey, Jonas M., 47 Park Ave., New York City.
Pierrepont, Edwards, New York City.
Stokes, Anson P., 54 Wall St., New York City.
Stokes, Thomas, 54 Wall St., New York City.
Villard, Mrs. Henry, New York City.
Ward, J. Q. A., 9 West 48th St., New York City.
Ware, William R., Columbia College, New York City.
Wolcott, Miss Ella L., Elmira.
Young, J. Edward, New York City.

OTHER STATES.

W. G. Hammond, St. Louis, *Missouri.*
Prof. Goldwin Smith, Toronto, *Can.*
J. W. Hoyt, Cheyenne, *Wyoming.*
Francis Wayland, LL.D., New Haven, *Conn.*

PUBLICATIONS OF THE ASSOCIATION.

Journal of Social Science. Containing the Transactions of the American Association. Nos. I.–V., 8vo, paper, each $1.50. Nos. VI.–XXI., each $1.00.

CONTENTS OF NUMBER TWO.— Current Record of the Association. I. Immigration — Frederick Kapp. II. The American Census — James A. Garfield. III. The Mode of Procedure in Cases of Contested Elections — Henry L. Dawes. IV. The Public Charities of the State of New York — Theodore W. Dwight. V. The Public Libraries of the United States — Ainsworth R. Spofford. VI. The Science of Transportation — Joseph D. Potts. VII. Vaccination — A Report presented by Francis Bacon, William A. Hammond, and David F. Lincoln. VIII. The Election of Presidents — Charles Francis Adams, Jr. IX. Life Insurance — Sheppard Homans. X. The Administration of Criminal Justice — George C. Barrett. XI. Health Laws and their Administration — Elisha Harris. XII. An International Code — D. D. Field. XIII. General Intelligence. XIV. Constitution. XV. List of New Members. XVI. List of Works relating to Social Science published in 1869.

CONTENTS OF NUMBER THREE.— I. Public Parks and the Enlargement of Towns — F. L. Olmsted. II. Art Education in America — C. C. Perkins. III. Civilization and Health — Francis Bacon. IV. American System of Patents — S. A. Duncan. V. Nature and Sphere of Police Power — T. D. Woolsey. VI. Legislation and Social Science — E. L. Godkin. VII. Representation of Minorities — D. D. Field. VIII. Relations of Business Men to National Legislation — H. A. Hill. IX. Houses in the Country for Working Men — G. B. Emerson. X. Minority Representation in Europe — Thomas Hare. XI. Application of Mr. Hare's System of Voting to the Nomination of Overseers of Harvard College — W. R. Ware. XII. General Intelligence. 1. Home. 2. Foreign.

NUMBER FOUR is out of print, as well as NUMBER ONE.

CONTENTS OF NUMBER FIVE.— I. Municipal Government — Dorman B. Eaton. II. Higher Education of Women — T. W. Higginson. III. Restoration of the Currency — Joseph S. Ropes. IV. Some Results of the Census — Francis A. Walker. V. Public Vaccination — F. P. Foster. VI. The International — David A. Wasson. VII. Legislation in Relation to Pharmacy — G. F. H. Markoe. VIII. General Intelligence.

CONTENTS OF NUMBER SIX.— General Meeting at New York. I. Opening Address — George William Curtis. II. The Work of Social Science in the United States — F. B. Sanborn. III. Financial Administration — G. Bradford. IV. Conference of the Boards of Public Charities. V. Pauperism in the City of New York. VI. The Farmers' Movement in the Western States — Willard C. Flagg. VII. Ocean Lanes for Steamship Navigation — Prof. B. Peirce. VIII. Rational Principles of Taxation — David A. Wells. IX. American Railroads — Gardiner G. Hubbard. X. Reformation of Prisoners — Z. R. Brockway. XI. The Deaf-mute College at Washington — Edward M. Gallaudet. XII. The Protection of Animals — George T. Angell. XIII. American Finance — Prof. W. G. Sumner.

CONTENTS OF NUMBER SEVEN.— I. Private Property upon the Sea — Rev. Dr. Woolsey. II. Conference of Boards of Health. III. (School Hygiene) — Drs. D. F. Lincoln and A. L. Carroll. IV. Tent Hospitals — Dr. J. F. Jenkins. V. National, State, and Sectarian Universities — A. D. White and Dr. McCosh. VI. Free Lending Libraries — W. W. Greenough. VII. The Young Men's Christian Association — Cephas Brainard. VIII. Ocean Lanes. IX. Prison Reform in Europe and America — Dr. Wines and F. B. Sanborn. X. Social Science Record. XI. Conference of Boards of Charities.

CONTENTS OF NUMBER EIGHT.— I. The Production and Distribution of Wealth — David A. Wells. II. The Work of Social Science — F. B. Sanborn. III. Progress in International Law — J. B. Angell. IV. The Experiment of Civil Service Reform — Dorman B. Eaton. V. The Treatment of the Guilty — W. G. Elliot. VI. Health in Schools — Drs. D. F. Lincoln, J. J. Putnam, etc. VII. Financial Policy of England and the United States — G. Bradford. VIII. Limitations of Judicial Power — Emory Washburn. IX. Life Insurance for the Poor — Elizur Wright and Sheppard Homans. X. Legal Education — W. G. Hammond. XI. The Detroit Meeting.

CONTENTS OF NUMBER NINE.— I. Social Science in Theory and Practice — F. B. Sanborn. II. The Silver Question — W. Stanley Jevons. III. The Silver Question — B. F. Nourse. IV. Savings Banks — John P. Townsend. V. Local Taxation — William Minot, Jr. VI. Industrial and Social Aspects of the Southern Question — W. L. Trenholm. VII. Educa-

tion in the Southern States — T. M. Logan. VIII. The Navigation Laws of Great Britain and the United States — Hamilton A. Hill. IX. The Tariff Question — Horace White. X. Custom House Forms — Henry D. Hyde. XI. State and Municipal Government — Samuel Bowles. XII. Municipal Economy — Daniel L. Harris.

CONTENTS OF NUMBER TEN. — Transactions of the Association, 1879. I. American Education, 1869–79. Annual Address of President Gilman. II. The Method of Study in Social Science — William T. Harris. III. Report of the Department of Education — Mrs. I. T. Talbot. IV. The Voting of Women in School Elections — A. P. Peabody. V. Relations of Christianity to the Common Law — M. B. Anderson. VI. The Place of the Practical Man in American Public Affairs — Hamilton Andrews Hill. VII. Chinese Immigration — S. Wells Williams. VIII. The United States and the Declaration of Paris — Theodore S. Woolsey. IX. Recent Changes in our State Constitutions — Simeon E. Baldwin. X. The Policy of Patent Laws — Frederic H. Betts. XI. The Sewerage of the Smaller Towns — George E. Waring, Jr. XII. Industrial Arbitration and Conciliation — Joseph D. Weeks.

CONTENTS OF NUMBER ELEVEN. — Report of the Annual Meeting, 1880. List of Members. I. Southern Questions: 1. The Negro Exodus from the Gulf States — Frederick Douglass. 2. The Emigration of Colored Citizens from the Southern States — R. T. Greener. 3. Colored Schools in Virginia — Mrs. Orra Langhorne. II. Recent Changes in the West — Robert P. Porter. III. A Report on Protection from Casualties in the Use of Machinery — Professor William Watson. IV. International Coinage — Robert Noxon Toppan. V. Social Economy Papers: 1. Report of the Department of Social Economy — F. B. Sanborn. 2. The Care of Poor and Vicious Children — Charles L. Brace. 3. Social Economy in Illinois — Mrs. Harbert. 4. Co-operative Distribution — William A. Hovey. 5. Co-operation in England — James Samuelson. Saratoga Papers of 1877: 1. Extradition — Sheldon Amos. 2. Graduate Courses at Law Schools — Professor S. E. Baldwin.

CONTENTS OF NUMBER TWELVE. — Professor Peirce's Cincinnati Address: The National Importance of Social Science in the United States. President Gilman's Opening Address. Report of the General Secretary, by F. B. Sanborn. Report of the Treasurer and Publication Committee: Professor Wayland and F. B. Sanborn. Papers of the Education Department: I. Report on Kindergarten Schools — Professor Harris, Mrs. Talbot. II. The Relation of the Public Library to the Public Schools — Samuel S. Green. III. Educational Progress in England — Miss Edith Simcox. IV. Home Life in some of its Relations to Schools — Miss Mary W. Hinman. V. The American Newspaper and American Education — Dr. J. M. Gregory. Libel and its Legal Remedy — E. L. Godkin. Papers of the Social Economy Department: I. Associated Charities. A. The Principle and Advantage of Association in Charities — Rev. D. O. Kellogg. B. General and Special Methods of Operation — Rev. O. C. McCulloch. C. The Need and Work of Volunteer Visitors — R. T Paine, Jr. D. The Care and Saving of Neglected Children — Miss Anna Hallowell. II. The Principle of Volunteer Service — Mrs. Florence Bayard Lockwood. III. The Recreations of the People — George B. Bartlett. IV. The Justifying Value of a Public Park — F. L. Olmsted. Constitution, Officers, and Members of the Association.

CONTENTS OF NUMBER THIRTEEN. — Order of Business at Saratoga in 1881. Papers of the Jurisprudence Department: I. Pensions in a Republic — Frederick J. Kingsbury. II. Modern Legislation touching Marital Property Rights — Henry Hitchcock, LL.D. III. The German Socialist Law of Oct. 21, 1878 — Henry W. Farnam. IV. The Study of Anatomy, Historically and Legally Considered — Edward Mussey Hartwell, M.A. Papers of the Health Department: I. The Treatment of Insanity in its Economic Aspect — Walter Channing, M.D. II. Adulterations in Food — Professor S. W. Johnson. Debate on Adulterations. Remarks of George T. Angell. General Papers: I. Christianity and the Relations of Nations — Charles L. Brace. II. Indeterminate Sentences and their Results in New York — Z. R. Brockway. III. Changes in American Society — Julia Ward Howe. Appendix; Infant Development.

CONTENTS OF NUMBER FOURTEEN. — I. The General Meeting of 1881. Death of President Garfield. II. Opening Address of Professor Wayland, President of the Association. III. The Threefold Aspect of Social Science. Report of the General Secretary, F. B. Sanborn. IV. Civil Service Reform, an address by George W. Curtis. V. The American Newspaper — Charles Dudley Warner. VI. Prohibitory Legislation — P. Emory Aldrich. VII. Province of Legislation in the Suppression of Intemperance — F. W. Bird. VIII. License and Prohibition — Rev. Leonard W. Bacon. IX. The Moral Statistics of the United States — Dr. Woolsey. X. Divorce Laws — Professor W. C. Robinson. XI. Lax Divorce Legislation — Rev. S. W. Dike. XII. Address on Health and Insanity — Walter Channing, M.D. XIII. Women Practising Medicine — Dr. E. F. Pope. XIV. Constitution, List of Members, Officers, and Committees of the Association.

CONTENTS OF NUMBER FIFTEEN. — I. Papers on Infant Development — Professor Harris, Mr. Darwin, Mr. Alcott, Dr. Preyer, M. Taine, etc. II. Report of Mrs. Talbot. III. Religious and Moral Education of Children — Professor G. S. Hall. IV. Treatment of Incipient Insanity — Mary Putnam-Jacobi, M.D. V. Debate on Insanity — Professor W. T. Harris, Dr. Channing, F. B Sanborn, etc. VI. Papers on Building Associations — R. T. Paine, Jr., and Addison B. Burk. VII. Homes for the People in Washington — John Hitz. VIII. Art in its Relation to the People — Martin Brimmer.

CONTENTS OF NUMBER SIXTEEN. — Papers of the Health Department: I. Address of the Chairman — Walter Channing, M.D. II. The Michigan Plan for Boards of Health — Dr. Henry B. Baker. III. The Health Care of Households with Special Reference to House Drain

age — Ezra M. Hunt, M.D. IV. The Health of Boys' Boarding-schools — D. F. Lincoln, M.D. V. The Health of Criminal Women — Eliza M. Mosher, M.D. VI. The Management of Chronic Inebriates and Insane Drunkards — Albert N. Blodgett, M.D. VII. Remarks of Mr. Parker on Boards of Health. VIII. International and National Relief in War — Miss Clara Barton. Papers of the Social Economy Department: I. Address of the Chairman — F. B. Sanborn. II. The Factory System as an Element in Civilization — Carroll D. Wright. III. Early Factory Life in New England — Mrs H. H. Robinson. IV. American Factory Life — Miss Lucy Larcom. V. Ten Hours — Rev. Jesse H. Jones.

CONTENTS OF NUMBER SEVENTEEN. — I. Introduction. II. Address — Rev. A. D. Mayo, on National Aid to Education. III. Address — President Angell, on Diplomatic Relations between China and the United States. IV. Papers of the Jurisprudence Department, namely: 1. Professional Ethics — Theodore Bacon. 2. Local Self-government — Edward W. Bemis. 3. Disfranchisement for Crime — James F. Colby. 4. A Plan for Extinguishing Crime — Edwin Hill. 5. Punishment for Certain Crimes — H. A. Hill. V. Address — Professor W. T. Harris. VI. The Darwin Commemoration. VII. A Paper on the Progressive Spelling — Rev. H. L. Wayland. VIII. Miscellaneous Matters.

CONTENTS OF NUMBER EIGHTEEN. — I. Introductory. II. Opening Address — Professor Wayland. III. Report of the General Secretary — F. B. Sanborn. IV. Papers on Health and Education: 1. Health and Social Science — Dr. E. M. Hunt. 2. Physical Training in Homes and Training-schools — Professor D. A. Sargent. 3. True Higher Education — W. C. Thomas. 4. Causes of Insanity — Dr. W. Channing. 5. Inebriety in Women — Dr. L. M. Hall. 6. The Disease of Inebriety — Dr. T. D. Crothers. 7. House-building and Drainage — G. E. Waring, Jr. 8. Moral Education in Schools — Professor W. T. Harris. V. Papers of the Jurisprudence Department: 1. Assertion of Rights — J. T. Platt. 2. International Ethics — E. M. Gallaudet, LL.D. 3. Legal History of the Telephone — M. F. Tyler. VI. Addresses and Special Papers: 1. American Civil Service System — J. M. Gregory, LL.D. 2. Public Libraries — J. M. Larned. 3. Religion of India — Mr. Mozoomdar. 4. New Methods of Study in History — H. B. Adams. VII. Papers of the Social Economy Department, namely: 1. Race Problems in the United States — Professor C. A. Gardner. 2. Relations between Employers and Employed — Mrs. S. K. Bolton. 3. Child-helping in New York — C. L. Brace. 4. Prison Labor.

CONTENTS OF NUMBER NINETEEN. — I. Introductory. II. Report of the Secretary — F. B. Sanborn. III. Papers of the Finance Department: 1. Scientific Basis of Tariff Legislation — C. D. Wright. 2. Financial Standing of States — Henry C. Adams. 3. The Rate of Wages — Edward Atkinson. 4. Industrial Education — F. A. Walker. IV. Papers of the Jurisprudence Department. 1. Conflict of State Laws — Eugene Smith. 2. The Pardoning Power — F. Wayland. 3. Threefold Basis of the Criminal Law — F. H. Wines. V. Hebrew Charities — Mary M. Cohen. VI. Constitution and Members of the Association.

CONTENTS OF NUMBER TWENTY. — I. Papers of the Education Department: 1. The Function of Latin and Greek in Education — Dr. W. T. Harris. 2. Problems in Education — Mrs. Emily Talbot. 3. Athletic Education — Dr. Edward Hitchcock. 4. Physical Education in Women's Colleges — Mrs. R. S. Bryan. 5. The Higher Education of Women in Great Britain and Ireland — Miss Lumsden. II. Additional Papers of the Jurisprudence Department: 1. The Law for the Commitment of Lunatics — Mr. F. H. Wines. 2. Lunacy Legislation in the North-west — Professor A. O. Wright. III. Papers of the Health Department: 1. Dr. Sargent's Summary. 2. Tenement Houses — Dr. Lucy M. Hall. IV. The Civil Service in States and Cities — Edward M. Shepard.

CONTENTS OF NUMBER TWENTY-ONE. — 1. President Eaton's Address, 1885. 2. Business and Debates of 1885. 3. Synopsis of Social Science Instruction in Colleges. 4. Methodical Education in Social Science — F. B. Sanborn. 5. Social Science and Social Conditions — W. T. Harris. 6. The Unnamed Third Party — H. L. Wayland. 7. Socialism and State Action — Edward W. Bemis. 8. Labor Unions under Democratic Government — D. M. Means. 9. Influence of City Life on Health and Development — Dr. G. Peckham. 10. The Health of American Cities — C. F. Wingate. 11. The Physical Training of Women — Dr. L. M. Hall. 12. The Constitution and National Development — E. V. Reynolds. 13. Land and Law as Agents in Educating Indians — President Gates. 14. Arbitration of Labor Disputes — Rev. W. Gladden. 15. The Place of Art in Education — Thomas Davidson. 16. The Relation of the Drama to Education — W. O. Partridge. 17. Child-life in City and Country — C. D. Kellogg. 18. City and Country Schools — W. M. Beckner.

CONTENTS OF NUMBER TWENTY-TWO. — Conference of Alienists. Business and Debates of 1886. Notice of Deceased Members. I. Papers of the Department of Education: 1. The Definition of Social Science and its Classification — W. T. Harris. 2. Social Science Instruction in Colleges — Mrs. Emily Talbot and W. T. Harris. 3. Popular Instruction in Social Science — Carroll D. Wright. II. Papers of the Department of Health. 1. The Nervousness of Americans — Grace Peckham, M.D. 2. Mineral Waters of America and Europe — T. M. Coan, M.D. 3. Rabies and How to Prevent it — Valentine Mott, M.D. 4. Noses — H. Holbrook Curtis, M.D. 5. The Science of Dietetics — Wallace Wood, M.D. III. Papers of the Social Economy Department: 1. Address of the Chairman: Labor and Capital — F. B. Sanborn. 2. Property — Thomas Davidson. 3. Letters of Dr. Abbott and Dr. Wayland. 4. The Right of Property in Land — W. T. Harris, LL.D. IV. Papers of the Jurisprudence Department. 1. Postal Savings Banks — Dr. H. L. Wayland. 2. How to deal with Habitual Criminals — Professor S. E. Baldwin.

CONTENTS OF NUMBER TWENTY-THREE.— Business and Debates of 1887. Address of the President: Problems of the Census — Carroll D. Wright. I. Papers of the Social Economy Department: 1. Address of the Chairman — F. B. Sanborn. 2. Profit Sharing as a Method of Remunerating Labor — F. J. Kingsbury 3. Alfred Dolge and his Experiments — A. Dolge and Ernest Richard. 4. Profit Sharing Historically and Theoretically Considered — G. M. Powell. 5. Labor Organizations — J. G. Brooks. 6. Woman and the Temperance Question — Frances E. Willard. II. Papers of the Jurisprudence Department: 1. The American System of Trial by Jury — D. H. Chamberlain. 2. The Law's Uncertainty — Thomas Thatcher. 3. The Incorrigible — Francis Wayland. 4. Private Corporations and the State — H. A. James. 5. Social Science in the Law of Moses — H. L. Wayland.

CONTENTS OF NUMBER TWENTY-FOUR.— Introductory. Committee on Provident Institutions. Constitution, List of Members, etc. I. Papers of the Health Department: 1. Relation of the Physician to the Community, and of the Community to the Physician — Grace Peckham, M.D. 2. The Function of the Lungs — D. Emery Holman, M.D. 3. Certain Injurious Influences of City Life and their Removal — Walter B. Platt, M.D. 4. The Criminal Type — William Noyes, M.D. 5. Immigration and Nervous Diseases — C. L. Dana, M.D., with Discussion. II. Papers of the Education Department: 1. The Opportunities of America — F. B. Sanborn. 2. Address — T. W. Higginson. 3. Pedagogy in American Colleges — Professor E. J. James. 4. The Education of Women — Arthur Gilman.

CONTENTS OF NUMBER TWENTY-FIVE — General Meeting of 1888. President Adams on Higher Education. I. The Growth and Purposes of Bureaus of Statistics of Labor — Address of the President, Carroll D. Wright. II. Papers and Debates of the Department of Health: 1. Address on Requirements for a Medical Degree — Dr. H. H. Curtis. 2. How Far can Legislation aid in Maintaining a Proper Standard of Medical Education? — W. A. Purrington. 3. The Value of a Liberal Education Antecedent to the Study of Medicine — Sylvester F. Scovel. Remarks of Dr. Grace Peckham. 4. Unsanitary Conditions in Country Homes — Dr. Lucy M. Hall. 5. The Working-women of New York: Their Health and Occupations — Elizabeth Stow Brown, M.D. 6. The Struggle for Subsistence: How can it be most Efficiently Aided? — Henry Dwight Chapin, M.D. III. Papers of the Finance and Social Economy Departments: 1. Address of the Chairman — F. B. Sanborn. 2. Savings Banks in the United States — John P. Townsend. 3. Co-operative Building Associations. Report of the Special Committee. 4. Report on Savings Banks and Building Associations of Illinois — Professor J. W. Jenks. 5. Co-operative Building and Loan Associations in the State of New York — Seymour Dexter, Esq. 6. The Dangerous Side of Building Associations — Mr. C. F. Southard. 7. Notes on Provident Institutions in Arkansas, Tennessee, and Texas — Professor Robert T. Hill. 8. Life Insurance — Report of the Committee. Hebrew Provident Institutions. 9. The Early History of School Savings Banks in the United States — J. H. Thiry.

CONTENTS OF NUMBER TWENTY-SIX.— General Meeting of 1889. Reports of the General Secretary. Constitution, List of Members and Publications, etc. I. Papers of the Jurisprudence Department: 1. The Economic Law of Monopoly — President E. B. Andrews. 2. Constitutional Guarantees of the Right of Property — George Hoadly. 3. Education as a Cure for Crime — S. T. Dutton. 4. Immigration and Crime — W. M. F. Round. 5. The Dead Hand — Dr. H. L. Wayland. II. Papers of the Education Department: 1. Industrial Training of the Defective Classes. Discussion by President Gallaudet, General Brinkerhoff, Dr. Bryce, F. B. Sanborn, Miss Alice Cooke, etc. 2. Popular Fallacies concerning the Insane — Dr. Pliny Earle. III. Papers of the Social Economy Department: 1. Report on Co-operative Building and Loan Associations. 2. Socialism in England — Percival Chubb.

Sold by DAMRELL & UPHAM, Boston; G. P. PUTNAM'S SONS, New York; and by

F. B. SANBORN, *Secretary*,
CONCORD, MASS.

I. PAPERS OF THE JURISPRUDENCE DEPARTMENT.

1. THE ECONOMIC LAW OF MONOPOLY.

BY E. BENJ. ANDREWS,

PRESIDENT OF BROWN UNIVERSITY.

(Read Thursday, September 5.)

It is proposed in this paper to consider under what conditions a business monopoly may be created or maintained, what the normal economic effects of monopolies are, and what course of events would be entailed, should monopoly entirely succeed free competition as the principal form of commercial enterprise. These are inquiries on which almost nothing has been written, competition having hitherto been assumed as the certain postulate of all economic analysis and generalization. Fresh study in this region is pressingly needed. Competition in its ancient and familiar form is passing away, never to reappear. Monopoly, the new order, has in it the power to be immeasurably superior to that which it supplants.* Society will find, however, that, to realize this unbounded potential advantage, it must, more than has been necessary heretofore, substitute its own conscious control over the work of production for the spontaneous action of economic forces. If, through ignorance or undue reverence for tradition, it shall fail to do this, monopoly will prove no factor of social advance, but precisely the reverse. In this matter we stand to-day at Shechem, — Mount Ebal upon one side, Mount Gerizim upon the other. Whether blessing or cursing awaits us, it is ours to decide.

A monopoly may be said to exist in any business when such a control is anywise exerted therein as to keep selling prices from being fixed by the law of supply and demand.†

*This paper was criticised when read, as not recognizing sufficiently the *advantages* of monopoly. I mean to do full justice in this regard; and the careful reader will not, I think, consider me to have failed. If I did not enter into lengthy discussion upon the point, it was from a conviction that such a course was no longer necessary.

† Another criticism at Saratoga had regard to this definition, condemning it as too broad, and as involving in censure all cases of large capital under a single control. The definition may be imperfect, yet seems to me to contain no such implication. Very many mammoth enterprises carry with them no monopoly whatever.

Monopoly may be either natural or artificial. As a fine illustration of a natural monopoly, the late Mr. Senior, in one of the few regular discussions of this subject with which I am acquainted, presents the ownership of the Constantia vineyard. Constantia wine owes its rare and delicate flavor to the very peculiar character of a few acres of ground. No other land will yield the like, so that no person save the owner of Constantia farm can be a producer of the wine. There is, I believe, but one nickel mine in this country. If there were no other in the world, this mine would be just like Constantia, a monopoly existing in the nature of the case. As a matter of fact, art, in the form of revenue legislation, here co-operates with nature. All proprietorship of mines, of land, or of water-power, in the same way naturally involves monopoly. The legislation granting titles in such cases does not create, it merely assigns, the monopolies. Government also, in its strict sphere, is a natural monopoly; for, though any particular form of polity may originate artificially, civil rule in itself is no less spontaneous than life. A railroad, once created, has a natural monopoly of its strictly way traffic, inasmuch as, when the power to be a railroad has once been given it by law, monopoly arises independently of all further legislation. Great original endowments in any economic direction, on the part of individuals,— the genius of a Webster, of a Garrick, of a Thomas Brassey, of an Edison,— manifestly constitute in each case a natural monopoly.

When, on the other hand, as so often under Elizabeth and James I., public power grants the exclusive right to manufacture or sell any commodity, the monopoly originates in the grant, artificially, and not in the nature of the case. Seal-fishing in the Northern Pacific, so far as controlled by our government, is an artificial monopoly. The sale of tobacco in nearly all continental countries is the same. Examples of governmental monopoly could easily be multiplied; but the phenomenon is in fact too simple to be dwelt upon.

But the most interesting artificial monopolies are not those which arise from the action of government. They are the *laissez-faire* monopolies,— those, that is, which private parties or combinations of private parties erect. To this variety belong, for the most part, the monopolies connected with the trusts, syndicates, and combinations, so common and famous at present. None of them are the pure products of nature; and few, if any, owe their existence wholly to the agency of law, helpful as this may be to

some. They are indebted for their life and continuance, mainly, some of them wholly, to the massing and the adroit manipulation of capital.

That monopolies quite often come into being and endure for a time in this way no one can possibly deny. The recent French Copper Syndicate offers an example. So does every corner in wheat, salt, lead, or other article of trade. That, however, massed capital alone, without special favor from natural circumstances or from law, can be made the *permanent* basis of monopoly, many deny. I believe that such denial is a mistake, and that what is thus declared impossible has occurred, is occurring, and is destined to occur more and more.

It is not meant by this that all forms of business are monopolized with equal ease. Some of them unquestionably could not, unless by the government itself, be monopolized at all. So far, and in this sense, the language used a moment ago may be qualified, and the admission made that every successful monopoly must have had the aid either of nature or of law. Precisely within what precincts *laissez-faire* monopoly is confined by nature it would at present be difficult to say with any certainty. Tentatively, I venture to formulate as follows: that *laissez-faire* monopoly is precluded in a business in proportion as it can be carried on with small capital, and independently of both location and organization. The denial that a permanent *laissez-faire* monopoly is anywhere possible is undoubtedly prompted to a great extent by a misunderstanding as to what it requires to constitute a monopoly. Many evidently suppose that monopoly is impossible in an industry, so long as any sort of competition prevails there. If the competition is other than formal, this is of course true; but, in several businesses where what may be called competition still exists, it is not real: it is simply formal. The point deserves special attention.

It is maintained that the Standard Oil Trust, for instance, cannot be in the enjoyment of a monopoly, because there remain active refineries not leagued with it. The argument is thought to be re-enforced by the observation that the number of outside concerns has even increased, perhaps doubled, since the trust went into effect. A moment's reflection will show the inference to be unwarranted. It is not necessary, in order that a great business may be a monopoly, or, what is the same, keep a higher than competitive price upon its goods, that it should directly control the entire production. Immediate mastery of a decided majority is practically the mastery of all.

No one will question that the Copper Syndicate enormously elevated prices above what competition would have made them; yet it purchased only about three-fifths of the world's entire product. This enabled it to dictate prices to consumers; and all the little producers not in the syndicate came in for a part of the advantage.

Now, this syndicate, a combination of the very loosest order, lasted nearly eighteen months, and during its continuance imposed upon the commodity in all the markets of the world a purely arbitrary price, not far from 100 per cent., on an average of the whole time, above what it would naturally have been. Even now the copper corner has not been definitively ruptured. Prices are not yet normal. A monopoly market remains, and must till the immense supply of copper which the manipulators of the metal piled up in Paris has been disposed of. Even the still more informal agreement at present subsisting suffices to keep the metal at least two cents a pound above what open competitors would be taking. In view of this history, I cannot doubt that, had the Copper Trust been solidly organized like the Standard Oil Trust, and administered with any approach to the energy and methods of that organization, it would have become a permanent institution.

That this might have been is further indicated by the history of the Canadian Oatmeal Millers' Association, a ring for depressing the price of oats and raising that of meal. It has closed ten mills, paying them from $300 to $800 each per annum, or a total of $6,312, for their inactivity. The Canadian Parliament's Trust Committee of last winter found that the outside mills, numbering about twenty-five, are "of such limited capacity that their influence is not materially felt in the general market; but they avail themselves of whatever advantage the combination gives them to keep up prices."

The principle here is similar to that of rent. Price-fixing by the dearest cost of production is another analogue. As the most cheaply produced part of the product will not "go round," the whole which the demand requires sells at the rate necessitated for that which costs the most. Still another illustration is the cost to the American people of our Hawaiian sugar. We know that sugar rates to consumers have not been lowered by the entry of the Hawaiian crop into this country duty free, for the reason that not enough thus comes in to supply the market. So, still further, the silver dollar continues at gold par because not sufficient silver dollars or

certificates circulate to do the country's required money work. In the same way, unless the small producers who pretend to compete with a given combination can enlarge their capacity sufficiently to supply the market, it remains for the combination to say what prices shall be. In other words, monopoly is possible in spite of any competition which is merely apparent.

We are told that the competition of capital with capital inevitably breaks down a monopoly so surely as the monopolists elevate prices above the level of normal cost. This theorem, when considered purely *a priori*, seems very specious. Exorbitant prices of course mean exorbitant profits. But an extraordinary rate of profit in any industry is sure, one would suppose, to call capital from less productive channels into this, until the return for the use of capital has been brought down again to the usual level.

That this is the tendency must be admitted; but there is much to thwart it, to prevent the alleged result. There is a tendency to uniformity in wages between different trades and different grades of laborers, but wages never become uniform. So there is a tendency to identity between different nations in the prices gotten for like articles of commerce, but international prices never agree.

One strong reason why large profits by no means always evoke much competition in the industry which gives rise to them is that so few know how large they are. The public rarely has other than the most indirect and imperfect means for assuring itself whether a business is especially lucrative or not. The publication of dividends is no certain guide. High dividends may imply depletion of capital, as low ones may be but a symptom of valuable enrichment to the plant. Innumerable are the arts familiar to the higher book-keeping, whereby even stockholders are kept ignorant whether businesses in which they themselves are interested are or are not in a prosperous way.

It may be thought that some of the interested parties, at any rate, must know the real rate of profits, and that, if it is great, these will secretly undersell, dissolving the ring from within. The rickety species of combination formerly prevalent certainly involved this danger, and the fate suggested certainly overtook many. But the trust obviates this risk beautifully and entirely. Trusts in the proper sense have absolutely nothing to fear from within. The sole question is whether they can be overthrown from without.

I maintain that there are no economic forces on which dependence can be placed to work this result. The capital necessary for *bona fide* competition in any of the great industries of our day is immense, and must needs be still more so in future. To fight the Sugar Trust, the Whiskey Trust, or either of the trusts in oil, you must have resources not to be brought together on an uncertainty or at simple notification, because, as I again beg you to remember, *bona fide* competition requires the means for supplying the entire market. But, even were the capital forthcoming in a day, months or years would in most cases necessarily have to be spent in setting out the plant and bringing it to bearing condition. Skill, too, must in some way or other be acquired, which might take longer yet.

During all the time of its preparation and incipient work, the new interest is subject to attacks from the old; and, if the old uses its advantages with only a fair measure of skill and resoluteness, the new must die ere fully alive. The instant it enters the market, it finds itself fatally underbidden. It fights, loses, and tries elsewhere. Its foe confronts it in the next field as in the first; and the struggle is repeated, probably with the same result. Such a campaign is nearly certain to go against the upstart, even when no legal rights are trangressed. But this is hardly ever the case. Appeal is found necessary to courts and legislatures; and these bodies, even if not corrupt, as they too often are, will, as a rule, be more apt to favor the established than the struggling enterprise. This is not speculation. Ample history teaches us what kind of event to expect in such a conflict.

Meanwhile is working a motive totally ignored by most writers on this subject, which very often indeed leads a monopoly's formal competitors of their own accord to continue formal competitors only, instead of making earnest and relentless war upon it. If willing to do this, they may, within large limits, share all the profits of the monopoly without any of its responsibilities, while perhaps enjoying in addition the reputation of glorious martyrdom for the public good. How this is possible has been suggested already. Establishments not in the combination, so long as its monopoly endures, are, in spite of themselves, its parasites, lifted up and nourished by its power. They are related to the monopolists proper just as rent-takers are to marginal cultivators. Often, doubtless, they are not aware of this, and sincerely suppose themselves to be receiving competitive prices. Yet we know too much

of human nature to believe that this can always be their thought. If Mr. Claus Spreckels, for instance, should require another year or two before commencing to refine sugar in Philadelphia, not a few people will be led to suspect him of subservience to the consideration of which I speak.

But suppose, in spite of first opposition, all things finally in readiness for full production, along with an earnest determination to compete. The great chimneys smoke, the wheels turn, and the market teems with the rival's goods. The uncertainty is but just begun; and it cannot but be greater, as a rule, for the new concern than for the old. Veritable competition between immense business enterprises is in our day no baby affair,—no mere case of friction or gentle collision, from which one of the parties is going to retire so soon as hurt. It is a battle of Titans, of bull-dogs. The signal for letting go is likely to be death, not pain or a little blood. So vast the stake, each side is pushed by every economic consideration to make the struggle one for victory or annihilation. While the duel lasts, the public is supplied with the products, not at competitive prices in the proper sense, but at cut rates, lower than healthy competition would induce. Such a state of things is not economically good for the community as a whole, because it can go on only at the cost of impoverishing producers for the sake of consumers. This means, of course, that it cannot long endure at any rate. Either of two results must have place. Faint-heartedness may bring truce or one or the other of the two gladiators may utterly succumb. In either case, monopoly is resumed again.

But, were it true that every *laissez-faire* monopoly which arises must at length fall, the success of most of them for so great a length of time is sure to call new ones into life whenever old ones die. Whatever ability our industrial system possesses to overturn a given monopoly, is an ability, not to restore old time competition, but simply to substitute one monopoly for another.

Meantime, observe, the fall of this or that monopoly does not, as many seem to imagine, constitute the slightest recompense to society for any plunder to which it may have been subjected. After the Chicago fire, fire underwriters enormously elevated their rates. Of course, the profits, so high, toled new companies into existence, many of which ultimately became insolvent. Before collapsing, however, most had made money inordinately, enriching their stockholders at the public expense. And when, at last, com-

petition rendered even normal winnings impossible, so that some of the companies failed, did the failure recoup the community? Not at all. The broken organizations settled as they could, got new charters, and proceeded to business again on such terms as they then found possible.

The moral of this is that a succession of monopolies in a business is quite as likely to bleed society as a single permanent one. In other words, were we to grant, contrary to what was shown above, that a power resides in competition to break down sooner or later every monopoly which comes into being, this power would have to be accounted an evil rather than a good, unless supplemented by some resource which should either prevent new monopoly out and out or else render all monopoly innocuous.

In what has been said it is implied that monopoly prices are about certain to be higher than competitive prices. The philosophy of this must now be traced. When a commodity hitherto produced competitively begins to be turned out under the auspices of a monopoly, cost obviously no longer regulates price. The range of prices is likely to be quite arbitrary for a time, the seller's whim being perhaps sobered a little by his memory of old, competitive rates. Slowly caprice gives way to law; but it is a new law, that of men's need. Prices go higher and higher, till demand, and hence profit, begins to fall off; and they then play about the line of what the market will bear, just as they used to about that of cost. The producer can be more or less exacting according to the nature of the product. If it is a luxury, the new law may not greatly elevate prices above the old notch. If it is a necessity, he may bleed people to death. Imagine a monopoly over quinine in the midst of a typhoid epidemic.

The price cannot of course fall below the cost of production; but, if the monopoly is close and the article one of necessity, it may indefinitely exceed cost. This might on rare occasion be the case even in a luxury. If fashion were to make Constantia wine an object of intense desire among the wealthy, a pipe of it costing $100 might sell for $100,000. Let Constantia become indispensable to life, and the ratio of selling price to cost would be even greater than this.

But the law of monopoly price shows its full significance only when industry is considered dynamically. Whereas a *régime* of competition speedily throws into the lap of consumers all the benefits arising from improved processes in production, monopoly tends

to retain all these in producers' hands. It may thus come to pass that, even when prices experience no absolute rise, or even fall a few points, they still range far above what they would have been if governed by competition, the producer pocketing all the gains afforded by new inventions in machinery and methods, whether made by himself or by others. In a case like this, the circumstance that prices have not risen makes it specially easy to deceive the public. The profits, how exorbitant soever, are not likely to be published; and the fact that they arise more or less at the expense of all of us, since now, though we pay no higher than formerly, we still do pay more than we should have had to pay with competition, is too recondite for popular attention. Press and platform echo the praises of such a monopoly, when it may in fact be a much worse leech upon the body politic than another which, having elevated prices a little absolutely, is deafened with a perfect diapason of anathema.

If the lessened cost of the article is entirely due to the monopoly, or to the skill and exertions of those who profit thereby, many will be of opinion that the monopolists have a right to all the gains thus arising. Massed capital and centralized control are tremendous advantages, and may be made vastly to cheapen production. Ought not those to reap the gains who render possible these better conditions of industry? Ought not society gladly to acquiesce in an arrangement, though perhaps excessively profitable to a few, which furnishes it a given line of products as cheaply as competition ever did?

This is a purely ethical question, not economic at all. I shall therefore not open it to discusssion, as I am dealing only with economic laws. Permit a remark or two, however. Monopolists often utilize, to swell their own dividends, improvements which they had no hand whatever in originating, and of which they have gotten the control by the most doubtful means. To the proceeds of these society has as good a claim as they. Again, it seems clear that society's right, whether enforceable or otherwise, to participate in the advantages which the bettered means of production in any department afford, is not cut off at the limit which invention had reached when the monopoly was established. Some advancement would surely have been made, even if competition had continued. This would then naturally have accrued to the weal of all of us; and the use of any means to thwart such a result would have been denounced as an infringement of our rights. If

that judgment would have been just, the public is justified in demanding at least that share in the present profits of any form of production now monopolized which would have fallen to it, had not the monopoly arisen. Hence, even if we limit society's right in the manner just indicated, the mere truth that a monopoly has not elevated prices is no proof that its riches have not been gotten in part at the expense of consumers. But I, for one, should not always agree to this limitation of the social claim, since, though an existing monopoly may have effected colossal saving, as much as you please beyond what would have been possible with competition, a different private monopoly or control by the State itself might have done far better still. Patent rights are limited, however probable it may now and then be that but for the patentee the improvement would never have been made.

The plea is sometimes interposed that no harm can come to people in general, let monopoly profits be never so high, for the reason that the winners cannot possibly keep to themselves what they get. The wealth cannot remain piled up, it is said, but the very motive which prompted the amassing of it must lead to the use of it; and this cannot take place without a wide and rich dissemination of its benefits.

Such as find comfort in this thought are very easily pleased. The same logic could be employed to justify the creation of financial princes by taxation outright. Any such policy would desperately discourage wealth-creation, even if every cent of the vast piles were to be productively employed. The greater part might be invested abroad,— profitably for owners, at a little less than dead loss to their fellow-citizens. But a generally lucrative employment of so great wealth, either at home or abroad, could not be expected. Excessive incomes, save in rarest cases, however thriftily intentioned their recipients, cannot be invested in the wisest manner. But economists are forced to observe that inordinate wealth almost inevitably tends to impair thrift, leading its possessors to substitute unproductive for productive forms of expenditure.

It should be noticed here that the wealthy make investments of many sorts, which, though strictly not in the nature of waste, yet practically deplete society's fund of capital no less than if they were. To purchase extensively in fine art, whether for public behoof or private, to build a palatial house, or to send money to the heathen, has upon general industry precisely the same effect,

at least in the first instance, as to pay away the same sums for needless servants and equipage, or upon feasts, liquors, and women. Intensely congested wealth certainly tends to find vent, yet to the damage rather than to the advantage of labor. We should always draw a distinction between the co-operation of capital on a gigantic scale, which always has in it great possibilities of good, and colossal individual fortunes.

If the positions of the foregoing discussion have been well taken, certain propositions of very considerable consequence may be laid down. Of these, those whose importance is mainly economic are as follows: —

1. That, in a great variety of industries, perhaps a majority of all, permanent monopolies may be maintained, apart from any legislative or special natural aids;

2. That extensive competition may exist which is formal only, and not real;

3. That a combination which is faced merely by formal competition possesses a monopoly no less than if there were no competition at all;

4. That competition of capital with capital, in businesses where *laissez-faire* monopoly is possible any way, will never permanently break down monopoly;

5. That when wealth is congested, whether by monopoly or otherwise, no economic laws avail thoroughly or healthfully to disseminate it again;

6. That monopoly prices are determined, not by cost of production, but by the tolerance of the market, by what the market will bear;

7. That prices under the law of the tolerance of the market, while never lower than cost, range more or less above, according as the articles approach more the nature of necessities or that of luxuries.

The practical and sociological bearings of what has been said are grave in the extreme, so grave, indeed, that I somewhat hesitate to announce them, lest you regard me as an alarmist.

No economic laws prevent the permanent existence of monopolies, or the extortion by them of prices more or less beyond those which competition would impose. It is undoubtedly conceivable that monopolists should sell at a mere fair advance on cost, just as it is that competitive producers should give away their wares outright. But, as no economic force leads to either of these

results, the economist cannot take account of them save as bare, incalculable possibilities.

In most of our substantive industries, monopoly production is sure to arise, if it has not already done so; and only some sort of legislative regulation can protect consumers from having to pay needlessly high for their products. If things are left to drift, the measureless and intrinsically benign power of massed resources and central control will, without fail, inure to the good of the few, and not to that of the many. The rich will grow ever richer, and the poor poorer. The great nodes, or centres, of special "lucration," must of course grate against each other, since the constituents of each stand to the rest in the relation of consumers. In fields where strong organization is possible, all lateral impact will encounter opposition. When, gradually, the line of least resistance is found and followed, it will lead downward. The ultimate victims will be the laboring masses and the devotees of the feebler industries, where effective combination is the least possible.

However, if I may perchance be an alarmist, I am not myself alarmed. Our sole present needs are information, courage, and willingness to take new steps in industrial evolution so soon as they are proved to be wise. In the ages past, society has never gotten itself into an imbroglio without somehow finding a way out. It will be so now.

2. THE CONSTITUTIONAL GUARANTEES OF THE RIGHT OF PROPERTY AS AFFECTED BY RECENT DECISIONS.

AN ADDRESS BY HON. GEORGE HOADLY, OF NEW YORK.

(Read Sept. 3, 1889.)

The purpose of this paper is to endeavor to ascertain the extent to which the right of property in this country has been affected by recent decisions of courts of last resort, and how far such right still remains free from legislative control and interference, notwithstanding these decisions. I wish to ascertain, if possible, the exact nature and extent of the assurance the citizen now has, in acquiring property, that its free use cannot be affected by subsequent legislation.

The guarantees of life and liberty, contained in Bills of Rights and other constitutional provisions, must be referred to; but the main purpose in view relates to rights of property only. As to these, I have no new facts to present. My sole purpose is to collate those known to every lawyer so as to see whither they have led us.

The first guarantee of the immunity of property from governmental control known to English-speaking peoples is to be found in the following language of *Magna Charta*: —

No freeman shall be taken, or imprisoned, or disseized, or outlawed, or exiled, or in any ways destroyed, nor will the king pass upon him or commit him to prison, unless by the judgment of his peers or the law of the land.

In the charter of Henry III. this language was slightly varied so that it ran thus: —

No freeman shall be taken or imprisoned or disseized of his freehold or his liberties, or of his free customs, etc., etc.

Lord Coke says that the term "law of the land," here used, meant, during the reign of King John, and means,—

due process of law, and the presentment or indictment of good and lawful men, and being brought to answer thereto by due process of law.

The term "law of the land," so said to be synonymous with "due process of law," was not, in England, considered inconsistent with the power of legislative attainder. Such attainder was "due process." The Parliament of England, it must be remembered, has always exercised not only full legislative, but executive and judicial powers.

As a legislative body, it is called "omnipotent." As a judicial body, its decisions are protected by the rule of *res adjudicata* from collateral attack.

Sir William Blackstone says, 1 Com. 160: —

The power and jurisdiction of Parliament, says Sir Edward Coke, is so transcendent and absolute that it cannot be confined, either for causes or persons, within any bounds. And of this high court, he adds, it may be truly said, "si antiquitatem spectes, est vetustissima; si dignitatem, est honoratissima; si jurisdictionem, est capacissima." It hath sovereign and uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, reviving, and expounding of laws concerning matters of all possible denominations, ecclesiastical or temporal, civil, military, maritime or criminal; this being the place where that absolute despotic power which must in all governments reside somewhere is intrusted by the Constitution of these kingdoms. All mischiefs and grievances, operations and remedies, that transcend the ordinary course of the laws are within the reach of this extraordinary tribunal. It can regulate or new model the succession to the crown, as was done in the reign of Henry VIII. and William III. It can alter the established religion of the land, as was done in a variety of instances in the reigns of King Henry VIII. and his three children. It can change and create afresh even the Constitution of the kingdom and of Parliament themselves, as was done by the Act of Union, and the several statutes for triennial and septennial elections. It can, in short, do everything that is not naturally impossible; and therefore some have not scrupled to call its power, by a figure rather too bold, the omnipotence of Parliament.

Judge Cooley's annotation upon this passage is the following (1 Bl. Com. 160, note 13): —

By this is meant that Parliament is potent above all other powers in the realm, and whatever it shall assume to do no one else may question. It is not a law-making power merely, but may execute laws through its own agencies, and at its discretion may dispose of rights, and even take away life, as has often been done by means of bills of attainder.

In his work on "Constitutional Limitations," at side page 259, the same learned author says: —

A bill of attainder was a legislative conviction for an alleged crime, with judgment of death. Such convictions have not been uncommon under other governments, and the power to pass these bills has been exercised by the Parliament of England at some periods in its history, under the most oppressive and unjustifiable circumstances, greatly aggravated by an arbitrary course of procedure, which had few of the incidents of a judicial investigation into alleged crime.

As attainder involves forfeiture of titles and estates as well as corruption of blood, it follows that, notwithstanding the language of *Magna Charta*, Parliament was clothed with the power, without judicial action, to deprive citizens of their lives, liberty, and property. This authority was often resorted to.

It is supposed that the power of legislative attainder might have been exercised by the Colonies; but the tendency of opinion in this country, even before the Revolution, was against the exercise of arbitrary powers of any kind.

Judge Cooley says at side page 260: —

For some time before the American Revolution, however, no one had attempted to defend it as a legitimate exercise of power.

It is right, however, to add that exile, even with the consequence of loss of estate, which was one of the results of taking the Tory side in the Revolution, was in great measure self-imposed.

The Revolution involved the establishment of the United States of America as an independent government, by force of arms; and he who took sides with the mother country was properly enough held to have elected the result of his own action, and to have become, by free choice, an alien enemy, and, as such, subject to loss of estate; but, as we shall see presently, even in this case the harsher consequences of his conduct were not always arbitrarily visited upon him, without a hearing and judicial condemnation. The State of Massachusetts, after assent to the Articles of Confederation, and while she still possessed the full power of legislative attainder, provided by law, April 30, 1779, that,—

Every inhabitant of this or any other of the late Colonies or then States, who since the 19th of April, 1775, had withdrawn without the permission of the legislative or executive authority of this or some other of the United States into parts or places under the acknowledged authority or dominion of the King of Great Britain, and had not before the passing of the act returned into

some one of the United States, and been received as a subject thereof, and (if required) taken an oath of allegiance to such States, shall be held, taken, deemed, and adjudged to have freely renounced all civil and political relations to each and every of the United States, and be considered as an alien.

The case of Kilham *v.* Ward, 2 Mass. 236, arose under this act. It was argued by Joseph Story and Samuel Putnam. The result I quote from the syllabus as follows: —

A person who left this country after the commencement of the Revolutionary War, went to, and resided in, the British Territories for several years, and returned to the United States before the treaty of peace, is a citizen, and not an alien. The Absentee Act of April 30, 1779, operates no disqualification upon a person who was not prosecuted and convicted under it.

Concurring opinions were pronounced by Parker, Sewall, and Sedgwick, JJ. The following is an extract from Judge Parker's opinion (p. 264): —

Such acts, in my opinion, cannot operate *ipso facto* against any persons except those who are expressly named in them, and whose particular cases may therefore be presumed to have undergone an examination by the legislature. Persons who are not so named, who are in the situation of the plaintiff, have a right to claim a trial and hearing before the act shall affect them.

Our fathers, whose legislative leaders were educated English lawyers, first struck at the root of the doctrine of Parliamentary omnipotence by the emphatic language of the Declaration of Independence: —

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

In the case of Dauphin *v.* Key, McArthur & McKay's Reports, at page 217, Judge Cox, of the Supreme Court of the District of Columbia, after quoting the Declaration of Independence, well says: —

That the right to liberty and the pursuit of happiness includes the right to enjoy and acquire property. These are the rights, then, fundamental, natural, and antedating all constitutions, which this Amendment (the Fifth Amendment to the Federal Constitu-

tion) was designed to protect. To deprive of these would be punishment, except when the property is taken in the exercise of the right of eminent domain.

The Massachusetts Constitution of 1780 was drafted by John Adams, Samuel Adams, and James Bowdoin. The preparation of the Bill of Rights was committed to John Adams alone. The first article of the first part, so prepared by Mr. Adams, is in these words: —

All men are born free and equal, and have certain natural, essential, and unalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

The adoption of this provision of the Massachusetts Constitution subsequently became the basis of a decision by the Supreme Judicial Court of the State, to the effect that it *ipso facto* abolished slavery, so that we may ascribe to John Adams the honor, as the draughtsman of this provision, of being the pioneer in the work of emancipation by law in the American States. To him and to Mr. Jefferson may be ascribed the immortal honor of establishing the inalienable character of liberty, a principle without which the Thirteenth Amendment to the Federal Constitution, abolishing slavery without compensation to masters, could only be defended as an act of war and conquest.

It will be observed that Mr. Adams and Mr. Jefferson class the right of property and of personal liberty together, Mr. Adams in terms, Mr. Jefferson by embracing the former under the words, "and the pursuit of happiness."

The Constitution of the United States followed, in 1789, with the provision (Article I., § 10): —

No State shall . . . pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.

The Fifth Amendment was proposed by the First Congress, September 25, 1789, and ratified, before the expiration of a year, by the votes of nine out of the fourteen States, and by Vermont and Virginia afterwards; namely, on November 3 and December 15, 1791, respectively. It contains the following provision: —

No person shall . . . be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

The Fifth Amendment controls only the Federal Government, and has no effect upon the exercise of power by the States. This defect in the Federal Constitution was remedied by the *Fourteenth* Amendment, proposed to the Legislatures of the States by Congress, June 16, 1866, which, as appears from a concurring resolution of Congress, was ratified by a sufficient number of States before July 21, 1868. The joint resolution required it to be duly promulgated as part of the Constitution, by the Secretary of State, and this was accordingly done July 28, 1868, thirty out of the thirty-six States then constituting the Federal Union having consented to such adoption.

The Fourteenth Amendment contains, in its first section, this provision: —

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Two circumstances seem to me to be of transcendent importance in the consideration of this subject.

First.— That the Federal Constitution absolutely rejects the idea of Parliamentary omnipotence, and is framed upon the theory that if governmental omnipotence reside anywhere, it is with the States and the people, and not their Representatives and Senators in Congress; that all practical government is delegated, either expressly or by necessary implication. As to the State Constitutions, it is unnecessary for the present purpose to controvert the commonly accepted idea that Parliamentary omnipotence of legislative power is conferred upon the State Legislatures, except where expressly forbidden or restricted, for the reason that we are here confronted with a direct inhibition in the *Fourteenth* Amendment, which expressly qualifies and limits the general grants of legislative power over rights of life, liberty, and property, leaving them subject only to "due process of law," but leaving the character of such process undefined.

Secondly.— The Fifth and Fourteenth Amendments are supplements, the former to the Federal Constitution, the latter espe-

cially operating by way of amendment and proviso to the Constitution of every State in the Union. The value of this suggestion can be best brought before the mind by adopting the language of Mr. Justice Bradley, used in his dissenting opinion in the Virginia Coupon cases, reported in 114 U. S. Chief Justice Waite, Justices Miller and Gray united in the dissent. At page 331, Mr. Justice Bradley, speaking for himself and these three eminent associates, uses the following words, from the principles stated in which I do not believe any American lawyer would dissent, however much he might differ as to their application: —

If the contract clause and the Eleventh Amendment come into conflict, the latter has paramount force. It was adopted as an amendment to the Constitution, and operates as an amendment of every part of the Constitution to which it is at any time found to be repugnant. Every amendment of a law or constitution revokes, alters, or adds something. It is the last declared will of the law-maker, and has paramount force and effect. The States became dissatisfied with certain parts of the Constitution as construed by the courts, whereby, in a manner not anticipated, they were subjected to be dragged into court like a common delinquent at the suit of individuals. They demanded that this should be changed, and it was changed by the Eleventh Amendment. The language of the Constitution was not changed, but it became subject and subordinate to the paramount declaration of the amendment. The Constitution still declares that no State shall pass any law impairing the obligation of a contract; but the effect of the amendment is that, even if a State should pass a law impairing the validity of its own contract, no redress can be had for the enforcement thereof against the State in the Federal courts. . . . Moreover, the Eleventh Amendment is not intended as a mere formula of words, to be slurred over by subtle methods of interpretation, so as to give it a literal compliance, without regarding its substantial meaning and purpose. It is a grave and solemn condition, exacted by sovereign States, for the purpose of preserving and vindicating their sovereign right to deal with their creditors and others propounding claims against them, according to their own views of what may be required by public faith and the necessities of the body politic. We have no right, if we were disposed, to fritter away the substance of this solemn stipulation by any neat and skilful manipulation of its words.

What Mr. Justice Bradley has said of the Eleventh Amendment as truly applies to the Fifth and Fourteenth Amendments. They are the last mandates of the people, and as such they restrict and control the Federal and State Constitutions and must be upheld,

notwithstanding any power with which they come in conflict, previously granted in however express terms, and certainly ought to be upheld as against the police power, which, except perhaps in Vermont, is exercised by State Legislatures only in virtue of the general delegation of legislative power contained in the Constitutions of the States.

The Constitution of Kentucky still restricts suffrage to white males; but, by force of the *Fifteenth* Amendment to the Federal Constitution, the right of suffrage has been extended, even in Kentucky, to blacks as well as whites. With what propriety can it be claimed, in view of the adoption of the *Fourteenth* Amendment, that an antecedent general delegation of all legislative power or a specific delegation of all police power shall overrule the mandate of the Amendment? This result has been accomplished, it is true, but not by disregarding the rule: it has been accomplished by construing it away.

In the cases of Cummings *v.* State of Missouri, 4 Wall. 277, and *Ex Parte Garland*, 4 Wall. 433, the Supreme Court of the United States were called on to determine the extent of protection to the citizen afforded by the provisions of the Constitution forbidding bills of attainder and *ex post facto* laws. In both cases, Mr. Justice Field reported the opinion of a majority of the judges. The former was the case of a Catholic priest deprived of the right to administer the offices of his church, by the Constitution of the State of Missouri, for want of an oath of loyalty. The counsel for the State argued that,—

To punish one is to deprive him of life, liberty, or property; and that to take from him anything less than these is no punishment at all.

At page 320, Mr. Justice Field, for the majority of the Court, answering this proposition, says:—

The deprivation of any rights, civil or political, previously enjoyed, may be punishment, the circumstances attending and the causes of the deprivation determining this fact. Disqualification from office may be punishment, as in cases of conviction upon impeachment. Disqualification from the pursuits of a lawful avocation, or from positions of trust, or from the privilege of appearing in the courts, or acting as an executor, administrator, or guardian, may also, and often has been, imposed as punishment. . . . "Some punishments," says Blackstone, "consist in exile or banishment, by abjuration of the realm or transportation; others,

in loss of liberty by perpetual or temporary imprisonment" . . . (page 321). The theory upon which our political institutions rest is that all men have certain inalienable rights,— that among these are life, liberty, and the pursuit of happiness; and that in the pursuit of happiness all avocations, all honors, all positions, are alike open to every one, and that in the protection of these rights all are equal before the law. Any deprivation or suspension of any of these rights for past conduct is punishment, and can be in no otherwise defined. Punishment not being, therefore, restricted, as contended by counsel, to the deprivation of life, liberty, or property, but also embracing deprivation or suspension of political or civil rights; and the disabilities prescribed by the provisions of the Missouri Constitution being in effect punishment, we proceed to consider whether there is any inhibition in the Constitution of the United States against their enforcement . . . (page 322). "No State shall pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts." A bill of attainder is a legislative act which inflicts punishment without a judicial trial. If the punishment be less than death, the act is termed a bill of pains and penalties. Within the meaning of the Constitution, bills of attainder include bills of pains and penalties (page 323).

Ex Parte Garland was the case of Attorney-General Garland, who had been excluded from the right to practice law for want of an oath of loyalty. At page 377, of the Fourth Volume of Wallace's Reports, Mr. Justice Field, again pronouncing the decision of the majority of the Court, says: —

The statute is directed against parties who have offended in any of the particulars embraced by these clauses. And its object is to exclude them from the profession of the law, or at least from its practice in the Courts of the United States. As the oath prescribed cannot be taken by these parties, the act, as against them, operates as a legislative decree of perpetual exclusion. And exclusion from any of the professions or any of the ordinary avocations of life for past conduct can be regarded in no other light than as punishment for such conduct. The exaction of the oath is the mode provided for ascertaining the parties upon whom the act is intended to operate, and, instead of lessening, increases its objectionable character. All enactments of this kind partake of the nature of bills of pains and penalties, and are subject to the constitutional inhibition against the passage of bills of attainder, under which general designation they are included.

Pierce *v.* Carskadon, 16 Wall. 234, decided in 1872, affirmed the opinions pronounced in the Cummings and Garland cases.

In this case, it was held incompetent for the Legislature of

West Virginia to require a test oath, or oath of loyalty, as a condition precedent to the opening of a judgment rendered without personal service.

In the Cummings and Garland cases there was much division of opinion in the Supreme Court, the result having been reached in each case by the votes of five justices,— namely, Justices Wayne, Grier, Nelson, Clifford, and Field, against the dissenting opinions of Chief Justice Chase, Justices Miller, Swayne, and Davis. In Pierce *v.* Carskadon, Mr. Justice Bradley alone dissented. In Dent *v.* West Virginia, 129 U. S. 11, the Cummings, Garland and Pierce cases were reaffirmed in an opinion by Mr. Justice Field, or, to speak more accurately, it was held that an act of West Virginia requiring practitioners of medicine to establish their qualifications to the satisfaction of the State Board of Health, by proof of graduation from a reputable medical college, or ten years' continuous practice in the State or by examination, was not forbidden by the Constitution of the United States, notwithstanding those decisions.

Missouri, following the policy of rigidly excluding disloyal persons, and those who might refuse the oath of loyalty, from political rights, was confronted and set at defiance by one of the most intensely loyal citizens of the State. After the close of the war, General Francis P. Blair offered to vote, refusing at the same time to take the oath of loyalty which the State imposed as the condition of the exercise of suffrage, and, having been refused, brought an action to establish his right. In Blair *v.* Ridgely, 41 Mo. 63, the question was very elaborately examined, with results adverse to his claim, chiefly for the reason that the right to vote is not a property right. But at page 172, Judge Wagner, pronouncing the opinion of the Court, says: —

> There are certain rights which inhere in and attach to the person, and of which he cannot be deprived except by forfeiture for crimes whereof he must be first tried and convicted according to due process of law. These are termed natural or absolute rights. Blackstone says: "By the absolute rights of individuals, we mean those which are so in their primary and strictest sense; which would belong to their persons merely in a state of nature, and which every man is entitled to enjoy whether out of society or in it." These rights may be arranged under the following heads: (1) the right of personal security; (2) the right of personal liberty; and (3) the right to acquire and enjoy property. To these the distinguished commentator on American law has

added a fourth head, which found no place under the English system; namely, the free exercise and enjoyment of religious profession and worship.

The distinguishing difference between the protective effect of the clauses forbidding attainders and *ex post facto* laws, sustained in the Cummings, Garland, and Pierce cases, and the Fourteenth Amendment is, that the former relate wholly to methods, and do not, at least directly, affect principles; while the latter is a solemn declaration of the most sacred rights.

As we have already seen, the attack our fathers made upon these offensive processes and methods of procedure was so effectually sustained by the Supreme Court that when, in the Pierce case, six years after the decisions in the Cummings and Garland cases had been made, the questions were re-examined, the judges who had originally dissented were acquiescent or silent, and the only note of dissent was heard from Justice Bradley, who had become a member of the Court in the interval.

We may, therefore, take it for granted that the decisions of the Cummings and Garland cases, with all they imply, have irreversibly passed into the fundamental law of the land, for the protection of the people against future invasions of the character in them denounced.

Let us next see how effectual the great declaration of rights contained in the Fourteenth Amendment has been found to be by the Supreme Court, as a measure of protection against invasions by the legislative power.

The first important cases in which the effect of this Amendment upon the right of property was considered were the Slaughter-house cases, decided at the December term, 1872, and reported in the sixteenth volume of Wallace's Reports, page 36. The Court divided in opinion, Mr. Justice Miller reporting the views of the majority, composed of Justices Clifford, Davis, Strong, and Hunt. Separate dissenting opinions were read by Justices Field, Bradley, and Swayne, with whom concurred Chief Justice Chase.

In this case, an act of the legislature of Louisiana was sustained, as against the inhibition of the Fourteenth Amendment, although it granted to a corporation (Syllabus, § 1)

> the exclusive right for twenty-five years to have and maintain slaughter-houses, landings for cattle, and yards for enclosing cattle intended for sale or slaughter within . . . a territory which

. . . contained 1,154 square miles, including the city of New Orleans and a population of between two and three hundred thousand people, and prohibiting all other persons from building, keeping or having slaughter-houses, landings for cattle, and yards for cattle intended for sale or slaughter within those limits.

The majority opinion is founded upon the proposition that the creation of this monopoly was within the legitimate exercise of the police power of the State.

Mr. Justice Miller says, page 62 : —

The power here exercised by the legislature of Louisiana is, in its essential nature, one which has been, up to the present period in the constitutional history of this country, always conceded to belong to the States, however it may now be questioned in some of its details.

"Unwholesome trades, slaughter-houses, operations offensive to the senses, the deposit of powder, the application of steam power to propel cars, the building with combustible materials, and the burial of the dead, may all," says Chancellor Kent, "be interdicted by law, in the midst of dense masses of population, on the general and rational principle that every person ought so to use his property as not to injure his neighbors, and that private interests must be made subservient to the general interests of the community." This is called the police power; and it is declared by Chief Justice Shaw that it is much easier to perceive and realize the existence and sources of it than to mark boundaries or prescribe limits to its exercise.

This power is, and must be from its very nature, incapable of any very exact definition or limitation. Upon it depends the security of social order, the life and health of the citizen, the comfort of existence in a thickly populated community, the enjoyment of private and social life, and the beneficial use of property.

It thus appears that, upon the first important attempt to invoke the Fourteenth Amendment as a protection for the rights of individual property, it proved ineffectual. It could not stay the hand of the legislature from invading the private right of the individual freely to pursue the profession of a butcher in New Orleans as against monopoly; in other words, it could not prevent the transfer of this property right from the individual to the syndicate, ring, or trust, or by whatever other name it may be called, upon which the legislature had seen fit to confer the exclusive power of herding, handling, and slaughtering animals intended for sale or consumption in the municipality of New Orleans.

We shall presently see that this amendment has proved as ineffectual to protect the individual from the destruction of the right to use or dispose of his private property, as it was in this case against its transfer to others.

The cases of Barbier *v.* Connolly, 113 U. S. 31, and Soon Hing *v.* Crowley, 113 U. S. 703, were decided in 1885.

The question involved was whether municipal ordinances of San Francisco, prohibiting washing and ironing in public laundries and wash-houses within certain territorial limits on Sunday, and between ten o'clock at night and six o'clock of the succeeding morning of each secular day, were invasions of the rights secured by the Fourteenth Amendment.

The same learned justice (Field, J.) who reported the opinions in the Cummings and Garland cases, was again the mouth-piece of the Court, expressing its unanimous opinion sustaining the ordinances.

In the case of Barbier *v.* Connolly, he says at page 31 : —

The Fourteenth Amendment, in declaring that no State shall deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws, undoubtedly intended not only that there should be no arbitrary deprivation of life or liberty, or arbitrary spoliation of property, but that equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights; that all persons should be equally entitled to pursue their happiness and acquire and enjoy property; that they should have like access to the courts of the country for the protection of their persons and property, the prevention and redress of wrongs, and the enforcement of contracts; that no impediment should be interposed to the pursuits of any one, except as applied to the same pursuits by others under like circumstances; that no greater burdens should be laid upon one than are laid upon others in the same calling and condition; and that in the administration of criminal justice no different or higher punishment should be imposed upon one than such as is prescribed to all for like offences.

But Mr. Justice Field adds, without citation of authority, the following definition or qualification : —

But neither the amendment — broad and comprehensive as it is — nor any other amendment was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, peace, morals, educa-

tion, and good order of the people, and to legislate so as to increase the industries of the State, develop its resources, and add to its wealth and prosperity. From the very necessities of society, legislation of a special character, having these objects in view, must often be had in certain districts, such as for draining marshes and irrigating arid plains. Special burdens are often necessary for general benefits, for supplying water, preventing fires, lighting districts, cleaning streets, opening parks, and many other objects. Regulations for these purposes may press with more or less weight upon one than upon another, but they are designed, not to impose unequal or unnecessary restrictions upon any one, but to promote, with as little individual inconvenience as possible, the general good. Though in many respects necessarily special in their character, they do not furnish just ground of complaint if they operate alike upon all persons and property under the same circumstances and conditions. Class legislation, discriminating against some and favoring others, is prohibited; but legislation which, in carrying out a public purpose, is limited in its application, if within the sphere of its operation it affects alike all persons similarly situated, is not within the amendment.

The suggestion that Mr. Justice Field cited no authority is not intended to imply that he might not have found many precedents. The remark was made because the omission to refer to cases, coupled with the fact that the opinion of the Court was unanimous, emphasizes the clearness of vision with which the result was discerned; in other words, the absolute confidence which the learned justice and his associates felt in the conclusions announced.

Authorities sustaining the general proposition of the subordination of private property interests to the police power of the State were in fact very numerous. Among others, Chief Justice Shaw, of Massachusetts, had said in Commonwealth *v.* Alger, 7 Cush. 53, 85, that —

All property in this Commonwealth . . . is held subject to those general regulations which are necessary to the common good and general welfare. Rights of property, like all other social and conventional rights, are subject to such reasonable limitations in their enjoyment as shall prevent them from being injurious, and to such reasonable restraints and regulations established by law as the legislature, under the governing and controlling power vested in them by the Constitution, may think necessary and expedient.

This is very different from the right of eminent domain,— the right of a government to take and appropriate private property

whenever the public exigency requires it; which can be done only on condition of providing a reasonable compensation therefor. The power we allude to is rather the police power, the power vested in the legislature by the Constitution to make, ordain, and establish all manner of wholesome and reasonable laws, statutes, and ordinances, either with penalties or without, not repugnant to the Constitution, as they shall judge to be for the good and welfare of the Commonwealth, and of the subjects of the same.

It is much easier to perceive and realize the existence and sources of this power than to mark its boundaries or prescribe limits to its exercise.

Another passage from this opinion of Chief Justice Shaw was quoted by Mr. Justice Miller in his opinion in the Slaughter-house cases, at page 62 of 16 Wallace, as follows: —

It [the police power] extends to the protection of the lives, limbs, health, comfort, and quiet of all persons, and the protection of all property within the State, . . . and persons and property are subjected to all kinds of restraints and burdens in order to secure the general comfort, health, and prosperity of the State. Of the perfect right of the legislature, no question ever was, or, upon acknowledged general principles, ever can be made, so far as natural persons are concerned.

Among illustrations which might be given of the statutory application of the police power, one which emphasizes its extent as plainly, perhaps, as any other, are the acts requiring railroad companies to fence their tracks. It is established that, notwithstanding the creation of a railroad corporation, even in cases where this may amount to a contract without right to alter, amend, or repeal, the police power operates with the same vigor and force as upon natural persons. In a leading case of this kind, Thorp *v.* Rutland & Burlington Railroad Co., 27 Vt. 140, Chief Justice Redfield, of Vermont, held thus (page 149): —

We think the power of the legislature to control existing railways in this respect may be found in the general control over the police of the country, which resides in the law-making power in all free States, and which is, by the *fifth* article of the bill of rights of this State, expressly declared to reside perpetually and inalienably in the legislature; which is, perhaps, no more than the enunciation of a general principle applicable to all free States, and which cannot, therefore, be violated so as to deprive the legislature of the power, even by express grant to any mere public or private corporation.

In the case of the Ohio & Mississippi Railroad Co. *v.* McClelland, reported in 25 Ill. 140, it was contended by counsel that the requirement of law to fence the track of the railroad company was in conflict with the provisions of the Constitution of Illinois and of the United States, both of which prohibit the passage of any law impairing the obligation of a contract; the charter of the company not containing any reservation of the right to alter, amend, or repeal, and not having expressly reserved any police control over the company's execution of its authority. The Supreme Court of Illinois, without deciding whether an express grant of exclusive police control to the company would be valid, held that no exclusion of legislative control could be implied from a charter not containing such express grant. Judge Walker, pronouncing the opinion, adds (page 144) that—

> The power to enact police regulations operates upon all alike. This is a fundamental principle, and lies at the foundation itself. It is yielded by each member when he enters society for the benefit of all. It is incident to and a part of government itself, and need not be expressly reserved, when it grants right or property to individuals or corporate bodies, as they take subservient to this right. Although individual rights may be said to be absolute, they are all subject to be controlled in their enjoyment for the general good.

He cites, by way of illustration, statutes requiring individuals to fence land, forbidding the sale of obscene books, prohibiting the exercise of unhealthy trades, quarantine regulations, laws forbidding stock to run at large when afflicted with contagious diseases, and statutes "requiring the fencing of saltpetre caves and growing castor beans," and adds:—

> The law has imposed all of these and many other duties and prohibitions upon individuals for the protection of citizens, their morals and property; and, notwithstanding it may appear in some degree to abridge individuals of a portion of their rights, yet we are not aware that their constitutionality has ever been challenged. Their eminent justice and propriety has commended them to the community at large as highly proper. The exercise of this power may be referred to the maxim *salus populi suprema est lex.*

In Indianapolis & Cincinnati Railroad Co. *v.* Kercheval, 16 Ind. 84, it was held that a clause in a charter of a railroad company, which declared that the corporators should be seized in fee simple of the land occupied by their right of way, and should

have the sole use and occupation of the same, and that no person, body politic or corporate, should interfere therewith, molest, disturb, or injure any of the rights or privileges thereby granted, did not withdraw from the State the power to establish police regulations imposing liability for cattle killed by cars.

These decisions were followed in Missouri Pacific Railway Co. *v.* Humes, 115 U. S. 512, where a statute of Missouri, requiring all railroad corporations to erect and maintain fences and cattle guards, was sustained as not in violation of the Fourteenth Amendment, although it imposed double liability for damages resulting from its violation. A later decision to the same effect upon an Iowa statute is Minneapolis & St. Louis Railway Co. *v.* Beckwith, 129 U. S. 26. In both these cases, the Court was unanimous. The opinions were by Mr. Justice Field.

The Fifth Article of the First Chapter of the Vermont Constitution, referred to by Judge Redfield in the passage quoted, is in these words: —

> That the people of this State, by their legal representatives, have the sole, inherent, and exclusive right of governing and regulating the internal police of the same.

Notwithstanding the expression made use of by Judge Redfield, Thorp *v.* Rutland Burlington Railroad Co. (*supra*), that this

> is perhaps no more than the enunciation of a general principle applicable to all free States, and which cannot therefore be violated so as to deprive the legislature of the power, even by express grant to any mere public or private corporation,

there seems to be a general consensus of opinion that the police power is not, as to all subjects and under all circumstances, so sacred but that exemption from its control may be to some extent and as to some subjects granted in the charter of an organized corporation, so as to be within the provision of the Constitution of the United States forbidding the impairment of contracts.

The exact line of distinction, in the classification of cases, between those over which the State cannot abandon its right of plenary control and those in which the legislative function may be abdicated in favor of corporations or individuals by contract, is

not clearly or fully established. This much is certain, as shown by the opinion of Chief Justice Waite, reporting the unanimous decision of the Supreme Court of the United States, in Stone *v.* Mississippi, 101 U. S. 814, 819, that

> No legislature can bargain away the public health or the public morals. The people themselves cannot do it, much less their servants. The supervision of both these subjects of governmental power is continuing in its nature, and they are to be dealt with as the special exigencies of the moment may require. Government is organized with a view to their preservation, and cannot divest itself of the power to provide for them. For this purpose, the largest legislative discretion is allowed, and the discretion cannot be parted with any more than the power itself.

To the same effect may be cited the cases of Beer Company *v.* Massachusetts, 97 U. S. 625, in which it was held that the charter of a corporation authorized to engage in the manufacture of malt liquors did not constitute a contract against subsequent legislation prohibiting the same, and Fertilizing Company *v.* Hyde Park, 97 U. S. 659, in which an incorporated fertilizing company, authorized to establish and maintain in Cook County, Illinois, chemical and other works for converting animal matter into agricultural, fertilizing, and other chemical products, owning a factory which was described as constituting an unendurable nuisance, creating an intolerable stench, producing nausea and discomfort, if not sickness, depreciating the value of property, and being a source of immense annoyance, was held to be rightfully suppressed by law.

In Butchers' Union Company *v.* Crescent City Company, 111 U. S. 746, the Supreme Court, again dividing five to four upon the merits of the question involved in the Slaughter-house cases, agreed, however (Syllabus), that,—

> The power of a State legislature to make a contract of such a character that, under the provisions of the Constitution, it cannot be modified or abrogated, does not extend to subjects affecting public health or public morals, so as to limit the future exercise of legislative power on those subjects to the prejudice of the general welfare.

These opinions were all collated and reaffirmed in New Orleans Gas Company *v.* Louisiana Light Company, 115 U. S. 650, in which it was held, following the decision in the Slaughter-house

cases, and distinguishing it from those last quoted, that the exclusive right to supply gas to a municipality may be so granted by the legislature as to constitute a contract protected by the Constitution of the United States against subsequent legislation to impair it. In this case, the Court avoided the application of the decisions I have just referred to by holding that the contract was not (p. 671) "in any legal sense to the prejudice of the public health or public safety."

The subject was again pressed upon the attention of the Supreme Court, in the case of Mugler *v.* Kansas, decided at the October term, 1887, 123 U. S. 623. This case grew out of an amendment to the Constitution of the State of Kansas, adopted by the people of that State, November 2, 1880, in these words (Art. 15, Sec. 10):—

> The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medical, scientific, and mechanical purposes.

Mugler was the owner of a brewery in Saline County, Kansas. He had been a resident of Kansas since 1872. In that year, he declared his intention of becoming a citizen of the United States. In 1877, he built a brewery, and in June, 1881, perfected his purpose to become a citizen by full naturalization. In November, 1881, he was indicted for offences against the statute passed for the purpose of carrying out the constitutional amendment. His counsel and those of Ziebold, against whom an information had been filed praying that a brewery owned by him should be abated as a common nuisance, relied on the Fourteenth Amendment to the Federal Constitution, and the rights of property thereby secured, and claimed that it was not competent for the State of Kansas, under whose constitution and laws property had been acquired whose only value depended on its use,—use lawful at the time of its acquisition,—to forbid such use and thus destroy the value of the property so acquired. But the Supreme Court held with practical unanimity—for the dissent by Mr. Justice Field only related to the proposition, not decided by the majority, that the State could not prohibit the manufacture and sale of liquors for exportation—that this legislation (syllabus)

> does not necessarily infringe any right, privilege, or immunity secured by the Constitution of the United States or by the amendments thereto.

I quote from the syllabus of the case a further statement of the principles promulgated in the opinion of the Court, reported by Mr. Justice Harlan: —

The prohibition by the State of Kansas, in its constitution and laws, of the manufacture or sale within the limits of the State of intoxicating liquors for general use there as a beverage, is fairly adapted to the end of protecting the community against the evils which result from excessive use of ardent spirits, and is not subject to the objection that, under the guise of police regulations, the State is aiming to deprive the citizen of his constitutional rights.

Lawful State legislation in the exercise of the police powers of the State, to prohibit the manufacture and sale within the State of spirituous, malt, vinous, fermented, or other intoxicating liquors, to be used as a beverage, may be enforced against persons who at the time happen to own property whose chief value consists in its fitness for such manufacturing purposes, without compensating them for the diminution in its value resulting from such prohibitory enactments.

A prohibition upon the use of property for purposes that are declared by valid legislation to be injurious to the health, morals, or safety of the community, is not an appropriation of property for the public benefit, in the sense in which a taking of property by the exercise of the State's power of eminent domain is such a taking or appropriation.

The destruction, in the exercise of the police power of the State, of property used in violation of law in maintaining a public nuisance, is not a taking of property for public use, and does not deprive the owner of it without due process of law.

Mugler *v.* Kansas was repeated and reaffirmed in Kidd *v.* Pierson, decided October 22, 1888, 128 U. S. 1. In this case, Justice Lamar, reporting the opinion of the whole court (except Chief Justice Fuller, who did not take part in the decision, not having been a member of the court when the cause was argued), uses this language, which the reporter has incorporated into the syllabus: —

The police power of a State is as broad and plenary as the taxing power; and property within the State is subject to the operation of the former so long as it is within the regulating restrictions of the latter.

The exact point required to be decided by the facts of the case of Kidd *v.* Pierce, as incorporated into the Syllabus, was that —

The right of a State to enact a statute prohibiting the manufacture of intoxicating liquors within its limits is not affected by the fact that the manufacturer of such spirits intends to export them when manufactured.

At the same term, October, 1887, the question came before the court in a different form. The legislature of Pennsylvania had, for reasons which seemed to them sufficient, by act of May 21, 1885, absolutely prohibited the manufacture of butter or cheese within the State of Pennsylvania out of oleaginous substances, or out of any compound thereof other than that produced from unadulterated milk, or cream from unadulterated milk, and also prohibited the sale or offer of the same for sale, or the holding of the same in possession with intent to sell the same as an article of food. The object of this legislation was not to protect the public health, but, on the contrary, to furnish a practical bounty in the nature of monopoly to the manufacturers of butter from milk and cream. It cannot be successfully asserted that the article called oleomargarine, when properly made, is either unhealthy or its manufacture or sale in any wise detrimental to the public welfare, other than as it may affect the pecuniary interests of makers of butter. I state this as a matter of fact known to everybody. There are large portions of the United States in which, at the present time, the use of oleomargarine would be a blessing, especially to the travelling community. In the contest between sweet oleomargarine and rancid butter, the sympathy of every man and woman who has a palate must be with the former. Nevertheless, it was held by the Supreme Court of the United States that this prohibition was "a lawful exercise by the State of the power to protect by police regulations the public health."

There was a single dissent,— that of Mr. Justice Field,— the majority opinion being reported by Mr. Justice Harlan. At page 685 of 127 U. S. (Powell *v.* Pennsylvania), Judge Harlan says: —

> Whether the manufacture of oleomargarine, or imitation butter, of the kind described in the statute, is or may be conducted in such a way, or with such skill and secrecy, as to baffle ordinary inspection, or whether it involves such danger to the public health as to require, for the protection of the people, the entire suppression of the business, rather than its regulation in such manner as to permit the manufacture and sale of articles of that class that do not contain noxious ingredients, are questions of fact and of public policy which belong to the legislative department to determine. And as it does not appear upon the face of the statute, or from any facts of which the court must take judicial cognizance, that it infringes rights secured by the fundamental law, the legislative determination of those questions is conclusive upon the courts. It is not a part of their functions to conduct investigations of facts

entering into questions of public policy merely, and to sustain or frustrate the legislative will, embodied in statutes, as they may happen to approve or disapprove its determination of such questions. The power which the legislature has to promote the general welfare is very great, and the discretion which that department of the government has, in the employment of means to that end, is very large. While both its power and its discretion must be so exercised as not to impair the fundamental rights of life, liberty, and property; and while, according to the principles upon which our institutions rest, "the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself," yet, "in many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate tribunal of the public judgment, exercised in the pressure of public opinion or by means of the suffrage." (Yick Wo. *v.* Hopkins, 118 U. S. 370.) The case before us belongs to the latter class. The legislature of Pennsylvania, upon the fullest investigation, as we must conclusively presume, and upon reasonable grounds, as must be assumed from the record, has determined that the prohibition of the sale, or offering for sale, or having in possession to sell, for purposes of food, of any article manufactured out of oleaginous substances or compounds other than those produced from unadulterated milk, to take the place of butter produced from unadulterated milk or cream from unadulterated milk, will promote the public health, and prevent frauds in the sale of such articles. If all that can be said of this legislation is that it is unwise, or unnecessarily oppressive to those manufacturing or selling wholesome oleomargarine as an article of food, their appeal must be to the legislature or to the ballot-box, not to the judiciary. The latter cannot interfere without usurping powers committed to another department of government.

It is argued, in behalf of the defendant, that if the statute in question is sustained as a valid exercise of legislative power, then nothing stands in the way of the destruction by the legislative department of the constitutional guarantees of liberty and property. But the possibility of the abuse of legislative power does not disprove its existence. That possibility exists even in reference to powers that are conceded to exist. Besides, the judiciary department is bound not to give effect to statutory enactments that are plainly forbidden by the constitution. This duty, the court has said, is always one of extreme delicacy; for, apart from the necessity of avoiding conflicts between co-ordinate branches of the government, whether State or national, it is often difficult to determine whether such enactments are within the powers granted to or possessed by the legislature. Nevertheless, if the incompatibility of the constitution and the statute is clear or palpable, the courts

must give effect to the former. And such would be the duty of the court if the State legislature, under the pretence of guarding the public health, the public morals, or the public safety, should invade the rights of life, liberty, or property, or other rights secured by the supreme law of the land.

I have made this long extract from Mr. Justice Harlan's opinion, first, because it seems to me necessary in order to do full justice to the court, and secondly, because the case itself is, in many respects, of the very highest importance in its bearing upon the subject now under consideration. It will be observed that the State of Pennsylvania, by the legislation which was thus sustained, did not attempt to distinguish between noxious and innocuous, pure and impure oleomargarine, nor was there legislation for the purpose of preventing the fraudulent sale of oleomargarine as disguised butter. The first section absolutely forbids the manufacture and sale, or possession with intent to sell, of oleomargarine in any form. And this even when such sale is made to one who has full knowledge of the character of the article bought. The second section renders such sale unlawful and void, and forbids an action in any court of Pennsylvania upon any contract founded on it; and the third section punishes every person, partnership, or corporation who shall manufacture, sell, or offer or expose for sale, or have in possession with intent to sell any one of the substances the manufacture and sale of which is forbidden by the first section of this act,— that is to say, any oleomargarine, or any article designed to take the place of butter or cheese, unless made out of pure unadulterated milk or cream,— by forfeiting, for each offence, the sum of $100, recoverable, with costs, by any informer, one-half for his own benefit, the other half payable to the proper county treasurer for the use of the county in which suit is brought. The fourth section defines any violation of the act to be a misdemeanor, punishable upon conviction by a fine of not less than $100 or more than $300, or by imprisonment in the county jail for not less than ten or more than thirty days, or both fine and imprisonment for the first offence, and imprisonment for one year for every subsequent offence.

In view of this stringent statute, the Supreme Court of the United States has seen fit to say — indeed, those of us who prefer oleomargarine to bad butter believe that they could not have decided the case as they did except by saying — that, as the statute, on its face or from any facts of which the court must take judicial

cognizance without proof, does not appear to infringe rights secured by the fundamental law, "the legislative determination of those questions is conclusive upon the courts."

In other words, it has been established by the Supreme Court of the United States, in the case of Powell *v.* Pennsylvania, that where the legislative department is sufficiently successful in disguising the fact that the real object and purpose of the law are to infringe the Constitutional guarantees of the rights of life, liberty, and property, two of which at least were in fact infringed by this legislation, the courts have adopted a self-denying ordinance requiring them to follow the example of the Goddess of Justice, and blindfold their eyes to the actual invasion of the Constitution, alleging that it is for the legislative department only to ascertain and determine the question whether the forbidden act or the use of the prohibited property may be restrained by the exercise of the police power. In other words, by the decision in the case of Powell *v.* Pennsylvania, it is judicially declared that, in effect at least, it is the law of the land that the legislature alone may determine the extent of the permissible exercise of its police powers; that courts cannot restrict its exercise except where it affirmatively appears on the face of the statute, or by those few facts of which courts take judicial cognizance without proof, that a legislative step has been taken beyond the prescribed bounds. Of what use or service, in view of the ease with which the real purposes of legislation may be disguised, the Constitutional guarantee of the right of liberty and property will be in the future, remains to be seen when the future shall develop results. Everything will finally depend, of course, upon the wisdom of the people and of their representatives. Doubtless "the sober second thought" of the people is always right. Such is the philosophy of our government; but the non-sober, the excited first thoughts, even of representatives-elect to legislatures, are not necessarily always right. For this very reason, that only "the sober second thought" of the people, and not necessarily their first impulse is right, we Americans have uniformly divided our legislative bodies so as to require separate considerations of proposed measures, by different legislative chambers, and, in many States, have granted the veto power to governors, thus confiding to a single representative of the whole people the power to require further consideration of a proposed law, instead of leaving it to the exclusive and possibly hasty action of a single body of members, elected upon territorial, local, or geo-

graphical considerations. But, above all, it is because the first impulse of the popular will is not always to be relied on as wise or safe, that Constitutional inhibitions and guarantees have been provided. What beneficial use these may subserve in the future, after this abnegation, by the highest judicial power, of its right to look beyond the face of statutes passed by the legislatures, remains to be seen. The White House was occupied and the presidential office filled for four years by the judgment of a political tribunal (four seats in which were filled by judges of the Supreme Court), on the theory of the conclusiveness of action taken by *de facto* electors. Now, a further step has been taken, and the Constitutional guarantees against legislative misuse of the police power are left, by the action of the Supreme Court, to the mercy not of the *de facto* doctrine, that whatever is must be accepted, but rather that whatever seems is right.

This exaggeration of the police power, and withdrawal of judicial protection from those who have been wronged by its misuse, is the upper of two millstones which are crushing the rights of property into powder. Let us now turn our attention to the other of these, between which and the upper there is but little space, in my opinion, for the beneficial survival of very much of the Constitutional guarantee of liberty or property.

That the essence of the right of property is in its use, and in the power of alienation for use by others, is obvious. Without these, the right is illusory and valueless. Chief Justice Marshall long since taught us that to tax the sale of property is to tax the property itself (Brown *v.* Maryland, 12 Wheaton, 419). The same proposition was repeated in Welton *v.* Missouri, 91 U. S. 275, Mr. Justice Field reporting the opinion of the unanimous court.

Upon this point, the case of Wynehamer *v.* People, 13 N. Y. 378, is instructive. Judge Comstock, pronouncing the opinion of the Court of Appeals of New York (Judges T. A. Johnson, Mitchell, and Wright dissenting) says, at page 396: —

> Nor can I find any definition of property which does not include the power of disposition and sale, as well as the right of private use and enjoyment.

After citing from Blackstone, Kent, and Bouvier's "Law Dictionary" definitions of property, which include the power of disposition, transfer, and alienation as a necessary incident to the right, Judge Comstock adds: —

These definitions are in accordance with the general sense of mankind. Indeed, if any one can define property eliminated of its attributes, incapable of sale, and placed without the protection of the law, it were well that the attempt should be made.

Of what value, however, is the right to sell, unless coupled with control of the price? or the right to lease or let to use, without the power to fix the rent? If the sovereign has usurped the control of prices of chattels or realty or of the use of land, then the sovereign power, in effect at least, to some extent does the selling or the letting to hire. In such case, to the extent of such control of prices, the property has passed out of the dominion of the individual, and into that of the sovereign. The value of the interests of the individual exists at the sovereign's will; and, if this were the established law of the land in relation to all or most sales and leases, Proudhon would have achieved a practical victory, and a long step have been taken towards putting in practice the theories of Ferdinand Lassalle and Karl Marx.

The case of Munn *v.* Illinois, 94 U. S. 113, was decided in 1876 by a divided court, Justices Field and Strong dissenting. The opinion of the majority, composed of the Chief Justice, Justices Clifford, Miller, Bradley, Swayne, Davis, and Hunt, was reported by Chief Justice Waite. I quote from the Syllabus prepared by the reporter, and, it is supposed, approved by the court, as follows: —

1. Under the powers inherent in every sovereignty, a government may regulate the conduct of its citizens towards each other, and, when necessary for the public good, the manner in which each shall use its own property.
2. It has, in the exercise of these powers, been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and, in so doing, to fix a maximum of charge to be made for services rendered, accommodations furnished and articles sold.

The "&c." which follows the word "innkeepers" does not appear in the opinion of the Chief Justice. It is the reporter's expression, but it is properly employed to indicate that the court did not intend to limit the application of the principle to the enumerated avocations, but would extend it to all other traffics in like case. It is a symbol of indeterminate meaning, but of great significance, and requires us to look closely to the principles stated

by the court, which are to determine what avocations, other than those thus enumerated, are exercised subject to legislative control, on the theory of inherent sovereign power or of English and American custom, notwithstanding the specific restrictions contained in the Fifth and Fourteenth Amendments and in the Constitution of Illinois and probably that of every other State,— limitations which seem to have been designed to prevent the exercise of any inherent sovereign power by the Federal Government in any case, and of any inherent power in any State which should contravene or negative the Fourteenth Amendment, or any clause of the State Constitution. For it will be remembered that Munn *v.* Illinois was decided eight years after the adoption of the Fourteenth Amendment, and that the Constitution of Illinois, under which the legislation of that State had undertaken to fix the price of elevating grain, which was challenged but sustained in this case, contained the following provisions: —

Article 2, § 1. All men are by nature free and independent, and have certain inherent and inalienable rights. Among these are life, liberty, and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

§ 2. No person shall be deprived of life, liberty, or property without due process of law.

Similar provisions are to be found in all the State Constitutions. As specimens of their varying forms, I quote from the Constitutions of New York and Ohio.

The former is in the following words: —

Article 1, § 6. No person shall . . . be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

In Ohio, the provisions of the existing State Constitution upon the subject are as follows: —

Article 1, § 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.

§ 19. Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war or

other public exigency imperatively requiring its immediate seizure, or for the purpose of making or repairing roads which shall be open to the public without charge, a compensation shall be made to the owner in money; and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money; and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

A Constitutional provision more important in this connection is that of Pennsylvania, for the reason that it was under this that the legislation sustained in Powell *v.* Pennsylvania was adopted and upheld. The first article of the Constitution of Pennsylvania of 1874 is entitled "Declaration of Rights," and the first section is in these words:—

All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness.

In respect to this section, Pennsylvania follows in the line of other States, but § 26 of the same article is peculiar and very important. It is in these words:—

To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government, and shall forever remain inviolate.

How the Constitution of Pennsylvania could have provided in more explicit terms that the delegation of police power embraced in the general grant of all legislative power should not enable the legislature to interfere with the right of acquiring, possessing, and protecting property, is not easy to imagine.

In all the Constitutions, the protection of life, liberty, and property is provided for by Bills of Rights; thus implying at least that these are fundamental rights, subject to which all delegated power is to be exercised. But in Pennsylvania, as if by anticipation to protect against the very wrong done in the case of Powell *v.* Pennsylvania, in prohibiting the continued beneficial use of useful property already in harmless existence under the sanction of law, this 26th clause expressly subordinates all the rest of the Con

stitution to the first article, "Declaration of Rights," of which the first section secures the free right of acquiring, possessing, and protecting property.

Returning to the case of Munn *v.* Illinois, we find that the principles or rules upon which we are to determine what avocations are within legislative control are stated in the fourth paragraph of the Syllabus of the case in these words: —

> When the owner of property devotes it to a use in which the public has an interest, he in effect grants to the public an interest in such use, and must, to the extent of that interest, submit to be controlled by the public for the common good, as long as he maintains the use. He may withdraw his grant by discontinuing the use.

The avocations named by the court are those of the ferryman, carrier, hackman, baker, miller, wharfinger, and innkeeper. Each one of these holds himself out to deal with all who seek his service, for compensation. Each of these, in relation to the property he owns and uses in his trade, is said by the court to have devoted it to a use in which the public has an interest; but therefore, in effect, he has granted to the public an interest in such use. Therefore, the avocation of elevating grain, being within the reason of the rule, was, by the decision of the court, subjected to the rule. This, not on the principle that the elevator was owned by an incorporated company, and that the legislature had the right to compel it to elect either to accept an amendment of the charter, — under the power reserved in the Constitution of Illinois to alter, amend or repeal,— or to go out of business as such corporation, or to surrender the charter and take the chances of continuing business as an individual. On the contrary, the rule of the court applied to individuals, and was not founded on any theory of assent evidenced by accepting articles of incorporation. But the owner of a grain elevator no more holds himself out to the public as their servant than the owner of every shop or store, than every broker, commission merchant, or other person pursuing what is commonly called private trade. Munn was not, like a common carrier or innkeeper, bound by law to serve any decent person applying to him. The decision of his case did not in any degree rest upon such supposed legal obligation. A baker offers his bread for sale to those who come for the purpose of buying. He is not liable to an action for refusing to sell. A. T. Stewart & Co. offered their

goods for sale to every proposing purchaser, but with the same reserved right to refuse to sell. Nor do the Supreme Court limit their opinion upon the case of bakers to those who bake the flour of others only. The application, therefore, of this rule to elevators requires its extension to all commercial persons, or persons engaged in commerce of any kind, and to all mechanics and manufacturers. Each one of these as fully devotes his time, his labor, and his property to a use in which the public has an interest as does a baker or the owner of the grain elevator. So, too, do all barbers, livery stable keepers, boarding and lodging house managers, saloons and restaurants, draymen and carters, and multitudes of others. The owner of a cotton press cannot be successfully asserted to be beyond the rule applied to proprietors of grain elevators, nor can midwives, apothecaries, or undertakers. Judge Field, in the dissenting opinion, calls attention (p. 141) to the necessary application of the majority doctrine to owners of tenements, manufacturers of cotton, woollen, and silk fabrics, of machinery, and of all kinds of utensils, and to printers and publishers.

It will be admitted that telegraphs and telephones are within the rule, unless protected by the sanctity of patent rights; but this protection has been denied by the Supreme Court of Indiana.*

These Indiana opinions, denying that letters patent secure to the inventor the exclusive control of the price at which the patented article may be sold or leased, are supposed to be supported by the opinion of the Supreme Court of the United States in the case of Patterson *v.* Kentucky, 97 U. S. 501, in which the opinion of the court, reported by Mr. Justice Harlan (Mr. Justice Hunt not sitting), holds that (Syllabus) —

> Where, by the application of the invention or discovery for which letters patent have been granted by the United States, tangible property comes into existence, its use is, to the same extent as that of any other species of property, subject, within the several States, to the control which they may respectively impose in the legitimate exercise of their powers over their purely domestic affairs, whether of internal commerce or of police.

For this reason, it was held that a statute of Kentucky prohibiting the sale of oils condemned by the State Inspector as "unsafe for illuminating purposes" interfered with no lawful right con-

* Hockett *v.* State, 105 Ind. 250; Central Union Telephone Co. *v.* Bradbury, 106 Ind. 1; Johnson *v.* State, 113 Ind. 143; Central Union Telephone Co. *v.* State, 118 Ind. 194, 598.

ferred by letters patent issued to an inventor of "an improved burning oil."

In Judge Harlan's opinion in this case, he cites as "an instructive case upon the precise point under consideration," Jordan *v.* Overseers, 4 Ohio, 295, decided in 1830, in which it was held that Jordan could not successfully resist an action for penalties for practising medicine in violation of an Ohio statute regulating the practice of physic and surgery, on the ground that the only medicine administered by him was secured by letters patent of the United States.

The provision of the Constitution of the United States under which patents and copyrights are issued is in the following words:

> The Congress shall have power . . . to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

Section 4884 of the Revised Statutes of the United States provides that

> every patent shall contain . . . a grant to the patentee, his heirs or assigns, for the term of seventeen years, of the exclusive right to make, use, and vend the invention or discovery throughout the United States and the Territories thereof.

As might have been expected, the Supreme Court of Indiana rely greatly upon the decision in the case of Munn *v.* Illinois. They, very properly, call it a "leading" case (105 Ind. 258). In view of their conclusion that the legislature has the right to establish rental prices for the use of telephones, it becomes a matter of pertinent inquiry what our fathers meant when they used the words "exclusive right" in the Constitution and laws of the United States. As the case stands to-day, if the Indiana rule be accepted and followed, this word "exclusive" must receive a new definition in the standard dictionaries, thus: "*Exclusive:* in common with the 'public'; or, subject to the control of the legislature." Or it may be that the Constitution and laws should be construed as if it read thus: "the exclusive right to read their own writings and use their own discoveries, and to vend them at prices fixed by others." To sustain this extension of the meaning of the word "exclusive," the dictionaries of the future will be at liberty to refer to the authority of the learned judges of the Su-

preme Court of Indiana. John Robinson told the Pilgrim Fathers, in Holland, that a great deal of light would yet break forth from the Bible; and it would seem as if the same remark might safely be made with regard to the Constitution of the United States.

An anecdote is related of Samuel J. Tilden, that, being asked whether a certain aspiring politician was friendly to him, he answered after a moment's hesitation, "Partially friendly." On this principle it may perhaps be said that the word "exclusive" means "partially exclusive."

It must be confessed that this would be imputing a *bouffe* purpose to the authors of the Constitution and laws of the United States, somewhat after the fashion of the "hardly ever," immortalized in "Pinafore." But what can fairly be said of the attempt to reduce the illimitable word "exclusive" to a limited meaning such as is attributed to it by the Supreme Court of Indiana, other than that, if successful, patents and copyrights will, in time to come, "hardly ever" be held to be really "exclusive"?

Lawyers pursuing occupations created by law certainly are within the doctrine of Munn *v.* Illinois. Clergymen and physicians, those who attempt to save souls and those who charge themselves with the cure of bodies, are surely engaged in professions devoted to a use in which the public has a profound interest, although the legislative regulation of the modest stipends paid to clergymen may be unwarranted as being an interference with the free exercise of religion secured by every State and the Federal Constitution.

The word "public," as used in the case of Munn *v.* Illinois, is not intended to be distinguished from the mass of individuals. Millers do not grind, nor elevators lift and store for the State, but for customers; bakers do not bake for the corporate community, but for some of the individuals of which it is composed. So with the whole list of avocations referred to by the court.

On the principle established in Munn *v.* Illinois, it will be difficult to deny to the legislature plenary power to control the price of all chattels offered for sale, and all labor and services, the master of which holds it out to be employed for the benefit of others.

But a larger question remains. If, because the omnipotent Parliament of England and the customs of the American people have for years controlled the prices at which ferrymen, common carriers, and the other persons named in the opinion of the Supreme Court in the Munn case, may deal, it follows that the State legislatures, exercising the limited powers conferred on them, and in

the face of these Constitutional restrictions expressed in the high form of bills, not of privileges, but of rights, because the avocations named and their congeners are serving the "public," may exercise like control, why does it not follow that the property, labor, and services of the "public" are themselves devoted to public use and liable to be controlled by the legislature?

If the grain which the farmer has raised must be ground by the miller and baked by the baker, at prices fixed by acts of the legislature; if the carrier who transports it must keep within the limit of rates determined by law; if this is because the miller, the baker, and the carrier work for the public, why are not the public whom they serve — namely, the owners of the grain ground, of the flour baked, and of the property transported — themselves within like legislative control? And is not all or most of this property of the public thus ground, baked, or transported for public use? How can those who serve the public be liable to legislative interference because servants, while the masters, the public itself, are free? Are not all men constantly performing both functions, acting as masters and servants, in reference to all property and labor? Upon the principle adopted by the Supreme Court in the case of Munn *v.* Illinois, can it be successfully denied that every use of property which is beneficial to others than the owner is in this sense public? On this principle, what is there to distinguish the private ownership of such property from the interests of the public in the same, except that the former is what may remain after deducting the latter? The interest of the public is founded on the fact, according to the decision, that property is devoted to a use in which the public has an interest. Of course, wherever it can be shown that the property is not devoted to such use, it falls outside the reasons given; but the moment the owner of any property offers it for sale does he not, by this very offer, himself voluntarily distinguish it from private, and add it to the mass of "public" property? If, because the miller offers to grind for all who may accept his offer within the limits of the capacity of his mill, or the baker to bake for all who may see fit to employ him, his avocation is liable to legislative control, why should not the farmer, who offers to sell to any or all who may approach him for that purpose, be liable to like control?

Every lawyer knows that the decision of cases depends largely upon the atmosphere which surrounds the court, upon the education of the judges, their insensible leaning and bias, the facts of their

lives (circumstances consistent with the highest integrity), often quite as much as upon the logical method or cogent persuasion of the advocate. And given, at some future day, legislatures and courts persuaded that Proudhon, Marx and Lassalle, and Henry George, not to say Most, Spies, and Parsons, were prophets, and not either deceived or deceivers, what ground is there to suppose, under the principles laid down for guidance in the case of Munn *v.* Illinois, that any property will be found so essentially private in its character as to be free from public control, except that which a man applies to his own use and possibly to that of his wife and family?

Munn *v.* Illinois, Mugler *v.* Kansas, and Powell *v.* Pennsylvania, were decided upon writs of error to the Supreme Courts of the States of Illinois, Kansas and Pennsylvania respectively, so that to the authority of the Supreme Court of the United States must be added that of the highest courts in the States where the cases originated.

Munn *v.* People is reported in 69 Illinois, 80. The opinion was by Chief Justice Breese, with dissents by Judges McAllister and Scott.

In State *v.* Mugler, 29 Kansas, 252, the opinion of the Supreme Court of Kansas was unanimous.

Powell *v.* Commonwealth is reported in 114 Pennsylvania State, 265. There is a strong dissent by Judge Gordon on the ground of the unconstitutionality of the statute.

It is unnecessary, and yet perhaps well, to add that no criticism is intended of the decision of the Supreme Court of the United States in these cases, because of any supposed conflict between the results and the provisions of the State Constitutions. No lawyer need be told that the Supreme Court of the United States cannot reverse the judgment of the highest court in a State because of its supposed conflict with the State Constitution. Of such conflict, the State Supreme Court is the sole and final judge. Criticism, if any, of the decisions of the Supreme Court of the United States, must relate only to the effect of the Fourteenth Amendment to the Constitution of the United States upon the facts of these cases. But I cannot avoid expressing surprise at the results reached by the State courts in these cases, in view of the explicit provisions of the State Constitutions for the protection of lawfully acquired property; and this surprise is emphasized when the explicit provisions of the Pennsylvania Constitution are read, and especially the mandate that the Declaration of Rights,

including its clause protective of the right of property, shall be held superior to the grant of legislative power, under which alone the police authority of the State is exercised.

A case much like Powell *v.* Pennsylvania was decided in Missouri in 1882; namely, State *v.* Addington, in which the constitutionality of an act of the legislature of Missouri, prohibiting the manufacture and sale of oleomargarine, was first upheld in the St. Louis Court of Appeals, 12 Missouri Appeals, 214. The court were unanimous; the opinion was pronounced by that learned legal scholar Judge Seymour D. Thompson. This opinion was affirmed by the Supreme Court, Chief Justice Hough dissenting, 77 Missouri, 110.

In Commonwealth *v.* Bearse, 132 Massachusetts, 542, 549, Judge Devens, speaking of the police power, says: —

> The legislature is largely the judge of its own powers with reference to these matters. If it can be seen indeed that the rights of property are invaded under the pretence of a police regulation, it will be our duty to interfere to protect them.

The trouble with this statement is that none are so blind as those who refuse to see, and that the Supreme Court of the United States have laid down the rule of vision in such terms as to prevent or at least obscure vision, except of those things which, on the face of the act, are manifest without the use of legal spectacles of any kind.

When we consider that Bills of Rights are in their nature emphatic Declarations of Rights, subject to which all legislative power is to be exercised, and that the Constitutional guarantee contained in the Fourteenth Amendment is of subsequent origin, and operates by way of express limitation upon the exercise of all legislative police powers previously granted, it would seem as though the power of the legislature as "the judge of its own powers with reference to these matters," as Judge Devens calls it, can neither be limited by condition precedent nor by matter subsequent. There is thus attributed to it a peculiar sanctity, originating, I confess, I know not how or where, but which, in the light of the social revolution which many think is soon to be inaugurated, would seem to be especially dangerous.

In sharp and shining contrast to all these are the opinions of the Court of Appeals of New York, beginning with the case of Wynehamer *v.* People, 13 N. Y. 378, of the Syllabus of which the following passages are part: —

The provisions of the act to prevent intemperance (Laws of 1855, p. 340) substantially destroy the property in intoxicating liquors owned and possessed by persons within the State when the act took effect.

In its application to such liquors so owned and possessed, the act violates the provision of the State Constitution which declares that no person shall be deprived of life, liberty, or property, without due process of law.

It seems that, had the act by its terms been applicable only to liquors imported or manufactured after it took effect, it would not have been in conflict with the constitutional provision above mentioned.

But, as no discrimination is made by its provisions between liquor owned when it took effect and that which might afterwards be manufactured or imported, and they are made operative on both, the act is unconstitutional and void.

In this case there were concurring opinions by Judges Comstock, Alex. S. Johnson, Hubbard, Samuel L. Selden, and Chief Justice Denio, and a dissenting opinion by Judge T. A. Johnson, concurred in by Judges Wright and Mitchell. This decision was made in 1856. In 1885 followed the "Matter of the Application of Jacobs," 98 N. Y. 98. In this it was unanimously held that an Act of the Legislature of New York, entitled "An Act to improve the public health by prohibiting the manufacture of cigars and preparation of tobacco in any form in tenement houses," is unconstitutional. It is gratifying to quote this language of Judge Earl, in concluding his opinion (p. 115):—

When a health law is challenged in the courts as unconstitutional on the ground that it arbitrarily interferes with personal liberty and private property without due process of law, the courts must be able to see that it has at least in fact some relation to the public health, that the public health is the end actually aimed at, and that it is appropriate and adapted to that end. This we have not been able to see in this law, and we must therefore pronounce it unconstitutional and void. In reaching this conclusion, we have not been unmindful that the power which courts possess to condemn legislative acts which are in conflict with the surpreme law should be exercised with great caution and even with reluctance. But as said by Chancellor Kent (1 Com. 450), "It is only by the free exercise of this power that courts of justice are enabled to repel assaults and to protect every part of the government and every member of the community from undue and destructive innovations upon their charter rights."

The Jacobs case was followed, at the June term of 1885, by

People *v.* Marx, reported in 99 New York, at page 377, *et seq.* The General Assembly of New York had (Laws of 1884, chap. 202) adopted an act entitled "An Act to prevent deception in the sales of dairy products," the sixth section of which was in the following words: —

No person shall manufacture out of any oleaginous substance or substances, or any compound of the same other than that produced from unadulterated milk or cream from the same, any article designed to take the place of butter or cheese produced from pure unadulterated milk or cream of the same, or shall sell or offer for sale the same as an article of food. . . . Whoever violates the provisions of this section shall be guilty of a misdemeanor and be punished by a fine not less than one hundred nor more than five hundred dollars, or not less than six months or more than one year's imprisonment, or by both such fine or imprisonment for the first offence, and by imprisonment for one year for each subsequent offence.

Under this section, Marx was indicted, tried, convicted, and sentenced in the Court of Sessions, and, his conviction having been sustained in General Term (People *v.* Marx, 35 Hun, 528), he appealed to the Court of Appeals, who unanimously reversed the judgment.

The opinion was pronounced by the lamented Judge Rapallo. I quote from page 385, making no apology for the length of the quotation: —

It appears to us quite clear that the object and effect of the enactment under consideration were not to supplement the existing provisions against fraud and deception by means of imitations of dairy butter, but to take a further and bolder step, and, by absolutely prohibiting the manufacture or sale of any article which could be used as a substitute for it, however openly and fairly the character of the substitute might be avowed and published, to drive the substituted article from the market, and protect those engaged in the manufacture of dairy products against the competition of cheaper substances capable of being applied to the same uses as articles of food.

The learned counsel for the respondent frankly meets this view, and claims in his points, as he did orally upon the argument, that even if it were certain that the sole object of the enactment was to protect the dairy industry in this State against the substitution of a cheaper article made from cheaper materials, this would not be beyond the power of the legislature. This, we think, is the real question presented in the case. Conceding that the only limits upon the legislative power of the State are those imposed by the

State Constitution and that of the United States, we are called upon to determine whether or not those limits are transgressed by an enactment of this description. These limitations upon legislative power are necessarily very general in their terms, but are at the same time very comprehensive. The Constitution of the State provides (Art. 1, § 1) that no member of this State shall be disfranchised, or deprived of any of the rights and privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his peers. Section 6 of Article 1 provides that no person shall be deprived of life, liberty or property, without due process of law. And the Fourteenth Amendment to the Constitution of the United States provides that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." These Constitutional safeguards have been so thoroughly discussed in recent cases that it would be superfluous to do more than refer to the conclusions which have been reached bearing upon the question now under consideration. Among these, no proposition is now more firmly settled than that it is one of the fundamental rights and privileges of every American citizen to adopt and follow such lawful industrial pursuit, not injurious to the community, as he may see fit (Live Stock Ass'n *v.* The Crescent City, etc., 1 Abb. [U. S.] 398; Slaughter House Cases, 16 Wall. 106; Corfield *v.* Coryell, 4 Wash. C. Ct. 380; Matter of Jacobs, 98 N. Y. 98). The term "liberty," as protected by the Constitution, is not cramped into a mere freedom from physical restraint of the person of the citizen, as by incarceration, but is deemed to embrace the right of man to be free in the enjoyment of the faculties with which he has been endowed by his Creator, subject only to such restraints as are necessary for the common welfare. In the language of Andrews, J., in Bertholf *v.* O'Reilly (74 N. Y. 515), the right to liberty embraces the right of man "to exercise his faculties and to follow a lawful avocation for the support of life"; and, as expressed by Earl, J., in *In Re* Jacobs, "one may be deprived of liberty, and his Constitutional right thereto violated, without the actual restraint of his person. Liberty in its broad sense, as understood in this country, means the right not only of freedom from servitude, imprisonment or restraint, but the right of one to use his faculties in all lawful ways, to live and work where he will, to earn his livelihood in any lawful calling, and to pursue any lawful trade or avocation."

Who will have the temerity to say that these Constitutional principles are not violated by an enactment which absolutely prohibits an important branch of industry for the sole reason that it competes with another and may reduce the price of an article of food for the human race?

Measures of this kind are dangerous even to their promoters.

If the argument of the respondent in support of the absolute power of the legislature to prohibit one branch of industry for the purpose of protecting another with which it competes can be sustained, why could not the oleomargarine manufacturers, should they obtain sufficient power to influence or control the legislative councils, prohibit the manufacture or sale of dairy products? Would arguments then be found wanting to demonstrate the invalidity under the Constitution of such an act? The principle is the same in both cases. The numbers engaged upon each side of the controversy cannot influence the question here. Equal rights to all are what are intended to be secured by the establishment of Constitutional limits to legislative power and impartial tribunals to enforce them.

Illustrations might be indefinitely multiplied of the evils which would result from legislation which should exclude one class of citizens from industries, lawful in other respects, in order to protect another class against competition. We cannot doubt that such legislation is violative of the letter, as well as of the spirit of the Constitutional provisions before referred to, nor that such is the character of the enactment under which the appellant was convicted.

A like question came still more recently before the Court of Appeals of New York, at the June term, 1888, in People *v.* Gillson, 109 N. Y. 389. The Legislature of New York, in 1887, enacted an addition to the Penal Code in the following words (Penal Code, § 335a):—

No person shall sell, exchange, or dispose of any article of food, or offer or attempt to do so upon any representation, advertisement, notice, or inducement that anything other than what is specifically stated to be the subject of the sale or exchange is or is to be delivered or received or in any way connected with or a part of the transaction as a gift, prize, premium, or reward to the purchaser. Any person violating any of the provisions of the foregoing section shall be deemed guilty of a misdemeanor, and, in addition thereto, shall be liable to a penalty of twenty-five dollars, to be recovered, with costs, by any person suing therefor in his own name.

Under this statute, Gillson had been convicted of selling two pounds of coffee, upon the representation that something other than that specifically stated to be the subject of the sale was to be given and received, and in fact was connected with and made part of the transaction, as a gift or prize to the purchaser, and that the defendant sold, upon such representation, and delivered, as a gift, a tea cup and saucer to the purchaser, who received it as part

of the dealing or sale of coffee. Gillson's conviction was affirmed in the General Term of the Supreme Court, but unanimously reversed by the Court of Appeals, and this after consideration of the decision of the Supreme Court of the United States in the case of Powell *v.* Pennsylvania. The syllabus of the case is as follows (the opinion was by Judge Peckham): —

While it is for the legislature generally to determine what laws and regulations are needed to protect the public health and serve the public comfort and safety, and the exercise of its discretion in this respect is not the subject of judicial review, yet a statute, to be upheld as an exercise of the police power, must have some relation to those ends; the rights of property may not be invaded under the guise of a police regulation for the protection of health, when it is manifest such is not the object of the regulation. The provision of the Penal Code (§ 335a, added by chap. 691, Laws of 1887), prohibiting the sale or disposal of any article of food, or any offer or attempt to do so upon any representation or inducement that anything else will be delivered as a gift, prize, premium, or reward to the purchaser, is unconstitutional and void. It is violative of the provision of the State Constitution (Art. 1, § 6) securing to every person liberty and property, unless he is deprived thereof by due process of law, and is not valid as a proper exercise of the police power of the State, or as a health law or regulation of trade in food, to prevent the adulteration thereof. Nor is the said act a valid exercise of the legislative power to enact what shall amount to a crime.

Let me, briefly, state conclusions: —

First.— As against the methods, forbidden in the Constitution, of attainder and *ex post facto* law, courts are endowed with adequate power to protect the citizen, not only in the enjoyment of his life, liberty, and tangible property, real and personal, but of all his privileges and rights, to the fullest extent.

Secondly.— That when the rights of liberty and property are attacked, otherwise than by these forbidden methods, under the pretence of the exercise of the police power of the State, Federal and State Courts, with the distinguished exception of the Court of Appeals of New York, seem impotent to protect either from the invasion of legalized monopoly, or the ruin of estates and the destruction of existing lawful traffic, unless it appear on the face of the statute affirmatively, without reference to extrinsic facts other than those of which courts take judicial notice, that the attempt is an abuse of the State's police power.

How easily the legislature may evade its duty in the premises without the dissent of the court is proved by the facts which gave rise to the case of Powell *v.* Pennsylvania.

Thirdly.— That the police power thus exercised is extensive and undefined (and dangerous in proportion to its want of definiteness), but may be generally said to consist in the right of the legislature to adopt such precautions and impose such penalties as they, not the courts, may think fit for the protection of the people of the State against whatsoever in their judgment may threaten injury. This is a very indefinite definition, but it is the best I can make.

I do not believe there is anything more important to the liberty of coming generations than to set limits and bounds to the police power, but the work has not yet been begun. Especially is this so if the rule adopted in Powell *v.* Pennsylvania, that the courts have no right to penetrate the disguises under which this dangerous power may cloak itself, be adhered to, which is practically almost if not quite equivalent to saying that legislatures have in this respect omnipotent power to overrule Bills of Right and Constitutional guarantees and limitations.

Fourthly.— That all property and avocations in which the "public" have an interest are so devoted to the service of this "public" that they may be controlled by the legislative power, without the necessity of resort to the power of eminent domain, or compensation to those who thereby suffer loss. As Mugler was compelled to pocket the loss of his brewery, and Powell to close his oleomargarine works, and Munn to shut up his elevator or run it at a loss, so in future the only alternative offered to those who, having appropriated their property or labor in services which may be beneficial to others, may be ordered by legislative authority to work at a loss, is to shut up shop and to betake themselves to something so exclusively private that nobody but they themselves can receive benefit. This is the reward which the law threatens to future "public" servants of this class.

Fifthly.— That, as the extent of the police power is indefinite, so also are the facts and circumstances which shall constitute such practical dedication of property or services to others indefinite. At present, they are expressed under an "*et cetera*"; and it is reserved for the future judiciary to explain this symbol and give its full and accurate meaning.

Lastly.— Those who believe with me that our fathers rightly

classified the right of property with the rights of life and liberty, as among the most important; those who are persuaded that every possible encouragement should be given to individual effort by fully protecting the sanctity of individual property; those who are confident that it will be better and cheaper in the end to pay something, by way of eminent domain, even for suppressing breweries and distilleries and oleomargarine factories and elevators, than to destroy them under the pretence of the exercise of an indefinite police power, or of an inherent right of government to control property devoted to a so-called "public" use,— will find reason to consider whether the Bills of Rights do not need rewriting, and whether it ought not to be made more imperative upon courts to open their eyes to the violation of such rights, and to stretch forth their executive power to enforce them.

Our fathers established a republic on the theory that the greatest possible happiness results from the largest liberty of individual effort. To this end they relied, not upon the direction, or even encouragement, of labor by the State, but upon the inducements of liberty and the protection, through the agency of Constitutional guarantees, of life, liberty, and the fruits of labor. It was, at an early date, and it has often since been, sought to substitute a species of indirect State socialism for this freedom upon which Mr. Jefferson and his associates relied. We are now, however, confronted not only by indirect but also direct State socialism, protection from which will finally depend upon the individual intelligence and personal aspirations of citizens. In the struggle before us, however, the Constitutional guarantees ought to be a bulwark and strong fortress of defence for those who believe in labor, directed by the guiding mind of the laborer, and not by the State; and such they will prove to be unless their meanings be perverted and their purpose thwarted by those who are charged with the duty of expounding and sustaining them.

3. EDUCATION AS A CURE FOR CRIME.

BY S. T. DUTTON,

SUPERINTENDENT OF PUBLIC SCHOOLS, NEW HAVEN, CONN.

(Read Sept. 5, 1889.)

The relation of education to crime (and I shall use the word "crime" as including all that is opposed to good morals as well as what is contrary to laws) has usually been considered on far too narrow lines. The attempt has been made over and over again to prove that ordinary school instruction is a direct specific for crime; that the illiterate are largely criminals, while the intelligent are law-abiding and virtuous. It has not been difficult, of course, to overthrow these arguments; for the same statistics upon which they were based, by a different manipulation, have been made to do duty in destroying them. More than this, in much of the discussion of this sort there is wanting any adequate recognition of the *real essence* of crime or the almost purely *intellectual* character of education as it has been carried on in the past.

It has been forgotten that criminal aptitudes, like tendencies to disease or insanity, are largely physiological, and have tainted the blood and reacted upon the nerves of a long ancestry. Another universal principle has been overlooked; namely, that any organization tends to build itself up from the germ after an ancestral pattern, and that the modifiability of that type is brought about only under special nurture and environment applied at an early stage of growth. "Heredity," says Ribot, "is a law of living Nature, a biological law of necessity, a principle of conservatism and stability." Hence it follows that the cruelty, baseness, and crime of past ages are reflected, not only in history, but in the wrong-doing of the present time. Evil instincts, passions, aptitudes, are woven into the fibre of the nerve substance. They taint the blood and are stamped upon the countenance. Whole families are so degraded that mental and moral recovery seems impossible. The Whitechapel districts of our great cities contain a population that is more homogeneous than the Back Bays or Fifth Avenues. The turbid stream of poverty and ignorance, of intemperance and

immorality, has persistently coursed its way down through the generations of the past, and to-day often threatens to overflow and carry ruin to the existing order of things.

Seeing, then, that tendencies to crime are part of the legacy to human nature from a remote past, and are hence constitutional, it is not difficult to understand why education has failed as a quick and complete remedy for them. If we consider, also, the large catalogue of crimes caused immediately by intemperance, we find that education has not been of a sort to prevent them.

The educational methods of the past have been almost exclusively directed to the culture of the intellect. This has been true of elementary teaching both in this country and in Europe; it has, to a large extent, also, been true of the colleges. To memorize, to recite, to reason and demonstrate, have been the chief aims, Prior to the last few years, little attention was given to bodily or mental health. The school was often as unsanitary as the poorest home. No attempt was made to bring the nervous organism of the child into harmony with his environment, and, hence, to promote cheerfulness, spontaneity, and vigor. It was usually a system of mental tasks rigidly applied, whose direct tendency was often to make the sick more sick, the morbid more morbid, and the vicious more vicious. The doctrine of the "survival of the fittest" had free course. Those only who had inherited physical and intellectual vigor endured the strain and rose to success in life. There was nothing in the system that dealt heroically with human disease and evil in its germinal forms, or that recognized the great laws of natural selection and environment that operate in the breeding and rearing of children, as well as in the culture of plants and animals. Many a parent has looked with pride upon his well-bred horse, kept in a box-stall, paying strict attention to his food, exercise, supply of light and air, while his child, delicate, it may be, has been sent to a school where every principle of hygiene, moral and physical, was violated.

Again, assuming that education has been able largely to overcome ignorance, it has not therefore been a cure for crime. Says Herbert Spencer, "Ignorance and crime are not cause and effect: they are coincident results of the same cause. The fact is that scarcely any connection exists between morality and the discipline of ordinary teaching. Mere culture of the intellect (for education as usually conducted amounts to little more) is hardly at all operative upon conduct. Creeds pasted upon the memory, good prin-

ciples learned by rote, lessons in right and wrong, will not eradicate vicious propensities, though people, in spite of their experience as parents and citizens, persist in hoping they will."

Bernard Perez, whose exhaustive study of the "First Three Years of Childhood" entitles his views to respect, goes even farther than this. He says: "The business of education is much more concerned with the *habits* that children acquire, and with their wills, which are also developed by habitual practice, than with the development of their moral conscience. The latter is the blossom which will be followed by fruit; but the former are the roots and branches." It is, then, with the roots of life and character and the soil in which they grow that we are chiefly concerned in estimating the value of education upon those morally defective.

Before closing this discussion, I shall attempt to show that education bids fair to be so changed in the immediate future as to become more efficient as a corrective of evil tendencies. At present, I desire to speak of educational methods and results in the past, as affecting crime. While it must be apparent that education has not usually addressed itself to the will and the emotions, and has been blind to the truth that morals as well as mind depend upon health and body, it can still be shown that schools have done more than all other agencies during the past two centuries to improve the conditions under which civilized man lives. While they have not proved a prompt remedy for crime, they have promoted a general intelligence that has been able to deal with it more humanly and wisely.

Two great forces, *inductive thought* and the *democratic spirit*, have been at once the cause and effect of education. By the first, the human mind, freed from its fetters, has penetrated the secrets of nature, has conquered time and space, and has achieved in one hundred years greater social and industrial progress than were seen in any ten centuries of the world's former history.

The spirit of democracy has been no less potent in recasting human society and calling forth the energies of men in great enterprises tending to comfort, convenience, and health. On the American continent especially, the possibility of successful self-government has been proven beyond all question. The same doctrine is working its way in Europe, and will gradually tend to curb the most autocratic of rulers and soften the restraints which harass the subject and thwart his enterprises.

Schools of learning, from the lowest to the highest, have been

the channels through which these regenerating influences have worked their way to the minds of men. Whenever a child has been taught to read, he has been intrusted with a key wherewith he can unlock the great storehouse of knowledge. History and literature become his teachers. He rises out of himself, and thinks the thoughts of others. He knew before that life was a struggle; but he sees now that mankind has been struggling on for ages, and that to the sum total of human toil and pain he is indebted for what he is, and that he will be to a certain degree responsible for the future of his race. God's revelation becomes his possession, in the pages of which are revealed both his own weakness and depravity and the Deity perfect in power and goodness.

In the long march from the savagery of six thousand years ago to the civilization of the present, progress was measurably slow until schools began their work of mental elevation.

That education has been *indirectly* effective in preventing crime can be safely affirmed. The lighting of our city streets, the scientific appliances employed by the police, the use of chemistry and electricity in the detection of crime, and the better administration of justice are but incidents of the improved moral and social condition which education has produced.

The study of nature has tended to soften human feelings and to promote a humanity that is quick to sympathize with weakness and suffering. Every hospital, with its trained attendants and its appliances for soothing pain and thwarting disease, every retreat for the insane, schools for those defective in sight, speech, or the imbecile,— all these witness to the intelligent and earnest philanthropy of our time. Even dumb animals are protected from cruelty by law. Society, aroused and on the alert, is guarding the public health from every contaminating influence; and, while science is attacking the germs of disease with marvellous results, we hear of the discovery of an "elixir of life" that can make the aged young and the weak strong.

John Stuart Mill defines education as "whatever helps to shape the human being, to make the individual what he is, or to hinder him from being what he is not." Accepting this very broad definition, and observing the enlightened condition of the civilized world and the security in which we live, we are able to award to education in general, and to the public school system in particular, a large measure of credit.

If our jails and prisons are as full as ever, we know that many

are deterred from evil-doing by modern facilities for detecting and punishing crime. If intemperance is still defiantly assaulting life and character in every grade of society, and is the direct agent of more crime than all other causes considered, we still know that a moral sentiment is being developed that will eventually place this monster evil in subjection and protect society from its ravages. The movement now in successful operation towards making hygiene and the evil effects of alcohol topics for instruction in the common schools will add materially to the debt which the public welfare owes to popular education.

The fact that we are annually adding to our population upwards of half a million of foreigners, many of whom are not in sympathy with our institutions, but are bred in pauperism, discontent, and possibly in crime, is often overlooked when criminal statistics are cited by pessimistic writers. But there is no grander proof of the efficacy of free schools than is seen in the capacity of our country for receiving and assimilating this mass of material without serious detriment. The increase of crime may be partially explained by other causes, as, for example, the rapid growth of cities, the unsettled condition of our industrial system, the rapid accumulation of wealth, all tending to prove that the subject of crime and its causes is very complex, and presents many problems for science and philanthropy to solve.

But, whichever way we turn, we have to face one sublime fact,—these United States, with all the dangers to which they have been exposed, resulting from rapid growth, immigration, and intemperance, have severally and unitedly evinced a strength and stability that have excited the world's admiration; and this phenomenon can be explained only in the intelligence of the people through the common schools. If our education in the past has not been powerful as a corrective of crime, it has certainly produced a high average of intelligence, and fortified the public mind and conscience in its attempt to deal with it promptly and wisely.

With this hasty and somewhat superficial view of the relation which education has borne to crime hitherto, I propose to consider rather carefully the prospects for the diminution of crime in future through educational means.

The hosts of evil now pressing upon us are vast and threatening. Intemperance, immigration, heredity, ignorance, poverty, and insane, nihilistic tendencies are present in great strength. Now, granting that the pulpit and the press are efficient as pre-

ventive agents by their constant appeals to right and warfare upon wrong, and by their efforts in disseminating truth, we must look to the schools, public and private, to so counteract and cure moral disease in its incipient forms as to afford to all our youth a fundamental training in habitual morality. In previous remarks, I have laid considerable stress upon heredity and the principle of persistence of type, so well understood by the naturalist; but there is another truth of equal educational value in this connection, and that is the exceeding plasticity of the infant child, and the capacity of his nature for modification through proper training and environment. Children born under the worst conditions, if transplanted at an early age to a good home, form moral habits that prove their safeguard through life.

The schools are capable of doing a great corrective and curative work. The educational reforms instituted during the past ten years, and now being vigorously pushed, all look to this result. The assertion may sound paradoxical, but the schools of the future are to be more corrective of evil because less penal and less repressive than in the past. Strong, healthy growth, moral, physical, and intellectual, leading up to honest citizenship, is to be the real end and aim.

Says Washington Gladden, addressing himself to those who direct the policy of our schools, "You have been building on a foundation too narrow; you must enlarge your basis; you must learn that character is the result of a harmonious development of all the powers of the eye and hand and the practical judgment, and the will, as well as of the memory and the logical faculty; and you must not forget that industrial training affords a discipline almost indispensable to the right development of character." The new education, whose principles are already well diffused, and whose sole purpose is to build character on solid foundations, calls for a more generous policy on the part of the State and greater skill and discrimination in applying educational means.

First, greater attention must be paid to school hygiene, including both health conditions of buildings and those dangers growing out of the nervous tendencies and defective constitutions of so many children. The State cannot afford to furnish an education that ignores the laws of health and fails to promote physical stamina. The ancient Greeks exposed their weak and defective children, and so spared them a life of suffering and unhappiness. Is the civilized State of to-day doing better than they, when it

sends its youth out to battle with life unschooled in the care of the body, or, it may be, weak and puny, from lack of physical culture?

A recent paragraph in the Chicago *Inter-Ocean* is full of truth. It says: "Physical infirmities and deficiencies, resulting from the disregard of the commonest rules of muscular development and bodily perfection, must have their reflex in the spiritual and moral character of the victim. Strong, active, physical health is rarely associated with moral perversity in the rightly educated man or woman."

The educational authorities of England, seeing the remarkable results of physical training in the schools of Germany and Sweden, are earnestly agitating this question. Even now, in the Board Schools of London, instructors are employed to introduce the Swedish military drill, in which a great variety of muscular movements, at once graceful and rhythmic, is secured. Decided indications of progress in this department are seen in this country Hygiene has become a prescribed study; gymnastics and military drill are somewhat in vogue; and in several cities physicians are employed as inspectors of schools with regard to health.

The second demand is the adoption in our cities of the kindergarten as a part of the public school system, especially for all neglected children and those whose breeding and environment are likely to result in criminal habits. I wish to emphasize this point. It is most vital to the question we are considering. If the State leaves the children born in the slums to run wanton during the first five, six, or seven years of life, until every form of wickedness and evil is automatic in their thought and feeling, she must expect to reap a harvest of crime.

The kindergarten has been found to possess this distinct advantage over all other forms of infant training,—that children, if taken at three years of age from the worst surroundings, can be reclaimed. The plastic nature of the child responds readily to love and kindness. As a new environment is revealed to him, so a new set of affections and impulses is awakened. The aim of the kindergarten is thoroughly normal. The systematic development of the child power, the arousing of self-activity, the culture of the feelings, the establishment of the practical virtues, the kindling of æsthetic, moral, and social sentiments,—these are all present in the true kindergarten. It may be said, in passing, that this training is the best possible foundation for the school proper. So says

Doctor Harris, our newly appointed Commissioner of Education, who has had universal facilities for observation. A recent writer has said that "solicitude for children is one of the signs of a growing civilization." Let this sentiment materialize in legislation that shall zealously rescue from danger all those unfortunates who are inevitably destined to be an expense to the State. It is far cheaper to apply some simple remedy in the earlier stages of an illness than to become a confirmed invalid and wage a life-long struggle with disease. A school training, engrafted on a character that is fixed in bad habits, is as unsafe as was the dam at Johnstown, with its flimsy foundations and a mountainous mass of water pressing against it. Five dollars a year spent in giving a child kindergarten training may save the State ten thousand dollars in trials and imprisonments, to say nothing of the economical advantages of having each and every man a supporter of the laws rather than a source of moral contamination, a producer of wealth rather than a destroyer of it.

Third, we must leaven the entire curriculum with that most effective of all moral correctives, manual or industrial training. While I prefer to argue this question on the broadest educational grounds, time will only permit me at this time to emphasize the moral element that belongs to all intelligent labor. So much has been written on this topic that I need recall only a few well-known facts. Wherever mental and manual exercises are blended, there is manifest a moral earnestness, a growth in manly and womanly character. This is no theory. The results now seen in many schools and colleges testify to the truth. Wherever, in the public schools of this country, boys are trained in the use of tools or the girls are taught sewing and cooking, the children from neglected homes seem to experience a change in conduct and ambition. Hope for the first time dawns upon their lives; and they become missionaries at home, setting order, comfort, and happiness in the place of squalor and wretchedness.

The system so extensively adopted in England, and partially begun in this country, of gathering dependent children into industrial schools where the useful arts are pursued in connection with a vigorous schooling of the mental and moral powers, has convinced many observers that France has builded wisely in constructing a system of national education with the industrial element present in every grade. A most striking evidence of the reforming power of diversified industry is found in the recent

history of several of our reformatories. At Elmira, particularly, industrial education has shown its potency in helping to establish character upon a healthy basis. If the adult man, mature in habit and addicted to vice, can be educated into integrity, what may not be accomplished with our youth if taken at the proper stage?

That the State of New York has framed a law empowering courts, under certain limitations, to pass indeterminate sentences on all criminals, means simply that the time is coming when a criminal will be released only as he gives evidence of reformation. In other words, he must be morally and industrially educated. What ought to have been done in the common school, under our compulsory laws, must now be done in the prison at vastly greater expense.

In several schools where negroes and Indians are educated, the results of combining manual and intellectual training are most significant. It is freely acknowledged, by those who have studied the problem most thoroughly, that the only hope of elevating the Indian and the African lies in a sort of industrial reformation. Until recently Christian missions have been far less successful in Africa than the Mohammedan, mainly because the latter have introduced into the life of the savage a sort of industrialism that served as a civilizing factor. Evidence that the industrial and domestic arts as Christianizing forces are stronger even than preaching is bound to give color to missionary enterprise in the future. Have we not, then, abundant proof that this element, which operates so powerfully in the enlightenment of the heathen and the savage, and in the reformation of the vicious and defective, should be a constant and somewhat prominent factor in public education?

All this experience with criminals and with the savage races shows us that what science has taught concerning evolution and the development of species must be applied in education, as well as in the nurture of plant and animal life, before the evil nature will shake off the rudiments of barbarism which still cling to it. Self-activity is the law of healthful life and growth in every organism. An unused muscle is a moral infirmity. Every morbid nerve is an invitation to crime. When the youth is bred to honest industry, there is no congestion, no bilious insurrection, but rather free circulation to every member of blood purified in God's air and sunshine. Every nerve-cell is full of healthy life. All new growth of tissue under these conditions tends to make Dr. Jekyll

stronger than Mr. Hyde, and to preserve a balance of power on the side of honest endeavor.

Finally, education will become a curative of crime only as all teaching is subordinated to the one central aim of developing and establishing character. The cultivation of the body, the intellect, and the will, must find a unity in the idea of moral completeness. All children must be reached. They must be reached early. Spontaneity and self-activity must be fostered at every step. Through drawing, designing, and construction, accuracy, integrity, and love of the beautiful are to be inculcated. The study of nature in all her wonderful forms, with countless lessons of God's creative skill and infinite love and care, is rapidly asserting its claims as the true subject-matter of teaching. In other words, less study of books and more of the world around us is needed to train the eye to see, the ear to hear, and to fit our youth for practical life.

Nor would I place small emphasis upon what may be called the moral atmosphere of the school. The Christian teacher, if wise and skilful, exerts a powerful influence for good. The clergyman who attempts to discredit the modern school as a moral force must remember that our teachers usually belong to the best working material in the churches. If they are wanting in what is true and righteous, it is likely that the churches themselves are at fault, and that preaching is vain.

Self-government is the corner-stone of this republic, and is destined to animate all mankind in the not distant future. The school must build character upon this foundation. The weak and defective are to acquire strength by self-control and patient endeavor.

While recognizing the unpleasant fact that education struggling with other moral agents has failed to cure crime, I have tried to show that it has created those moral and social conditions that are favorable to its restriction and suppression. Moreover, in view of the reform which is now affecting all educational methods, I do not hesitate to predict that, in the better future towards which we are hastening, we shall see these methods applied in universal and successful child-saving work.

For the application of what has been said, it is easily apparent that special legislation is necessary.

(1) Every unit of school organization, whether town, city, or district, should be compelled to provide for its children adequate and healthful school accommodations.

(2) Laws compelling attendance are lacking in many States. Only seventeen have passed compulsory statutes. Ten and a half millions of children in this country attend no school, and have none to attend.

(3) Children must be protected by law from the exactions of labor which interfere with school privileges until they are at least ten years of age. Between the ages of ten and fifteen years, a certain definite number of weeks of schooling should be assured to every child.

(4) The State should, in some way, undertake the care of neglected children, as early as at three years of age, either in kindergarten or home schools, like the Day Feeding Schools of Aberdeen, Scotland.

(5) The children of confirmed criminals should also be taken in charge, and placed where a long-continued and vigorous treatment, sufficient to counteract bad tendencies, could be applied.

(6) Manual training should be sanctioned by law as a feature of training in all grades of schools. It has already shown its potency as a corrective influence when applied in an educational way.

4. IMMIGRATION AND CRIME.

BY W. M. F. ROUND, OF NEW YORK,

SECRETARY OF THE NEW YORK PRISON ASSOCIATION.

(Read Sept. 5, 1889.)

The increase of immigration within the last quarter of a century, and the enormous increase of crime during the same time, are facts in our national history that I desire to place side by side for the reader's consideration. If there is any relation between these two factors of our national development, we should be able to discover it. If there are dangers apparent in a study of the facts brought forward, we must put our minds to the task of discovering a remedy. The questions under consideration have been regarded of sufficient importance to merit frequent and careful discussions in our national councils. From the very foundation of the government — and before its foundation — law-makers have sought to reconcile the restriction of immigration with that dominant spirit of our national policy, the welcome of the oppressed of every land. The latest action of Congress in this matter was, in the year 1888, the appointment of a select committee of the House of Representatives to investigate at length the administration of the national laws regulating immigration, at the various ports of the country. This committee made its report in the last session of Congress, and proposed a bill designed to meet the dangers it had discovered. The bill failed to become a law. The present immigration law, though better than its predecessors, is far from being what it should be. It was passed in 1882. Speaking to this bill, in 1881, Senator Morrill, of Vermont, said: —

The paramount question must be asked, whether or not there is visible cause for alarm, lest among the miscellaneous multitude of foreign immigrants annually landed on our shores, trained to widely different institutions, with a Babel confusion of tongues, including paupers, lunatics, idiots, and criminals, there may not be introduced many vicious and inconvertible elements, more dangerous to the individuality and deep-seated stamina of the American people, and more worthy of rigid quarantine, than even the most leprous diseases. I refer to those whose inherent deficiencies and iniquities are thoroughbred, and who are as incapable of evolution, whether in this generation or the next, as is the leopard to change his spots.

The language of this inquiry is of the strongest, and indicates plainly enough that the speaker had been roused to an enthusiasm of alarm by the facts discoverable in a study of the subject. What these facts are, the following figures will in a measure indicate. Let us give our attention, first, to the number of immigrants in relation to the volume of population.

Turning to the tables of the last census, we find that in 1880 the population of the country was 50,155,783, of which number 6,679,943 were of foreign birth; that is, 13.3 per cent. of our population have been emigrants. But we all know that, so far as political and social affiliation and action are concerned, the children of the foreign-born population must be reckoned with their parents, and that ordinarily, when we speak of the foreign population, we include in our thought foreigners and the direct families of foreigners. This would make our foreign population amount to 14,995,996, or within a very small fraction of 30 per cent. The great cities, which are our great crime centres, are also the great centres of our foreign population. Of the population of Boston, 70 per cent., it has been computed, are of foreign birth or parentage; of that of New York, 80 per cent.; and of that of Chicago, 91 per cent. But these facts have little significance in their relation to the crime volume until we bring them alongside of another set of figures; namely, the statistics of our prisons. Turning once more to the census report of 1880, in figures stated to be under rather than above the actual facts, we find that we have a prison population of 59,255; and of this number 12,815 were of foreign birth. Thus we see that 13.3 per cent. of our population furnishes rather more than 21 per cent. of our prison population.

This general statement is borne out, of course, in the special statistical tables of the different States. In the admirable report of the Minnesota State Board of Corrections and Charities, the following comparisons are set forth. In Massachusetts, 24.9 per cent. of foreign-born inhabitants furnish 27.8 per cent. of the prison population. In Pennsylvania, 13.8 per cent. of foreign-born furnish 20 per cent. In Ohio, 11.8 per cent. of foreign-born furnish 15.5 per cent. In the table from which I have quoted, the State showing the largest percentage of foreign-born criminals — namely, New York — is omitted. It shows that 23.7 per cent. of the population of foreign birth furnish 35.9 per cent. of the prison population. A late report of the Commissioners of Charity and Correction of the city and county of New York shows that the

public institutions of that city contain nearly 65 per cent. of foreigners, although they are but about 30 per cent. of the population.

Thus far we have in our grouping of facts kept strictly within the literal limitations of the title at the head of this article. The subject cannot, however, be fairly treated without a thought of our larger foreign population, which includes the children of foreigners. These make up a body of our citizens who enter into a larger life and liberty than their parents, with all the inherited prejudices and vices of their parentage, spending their early years in an environment distinctly foreign in thought and often foreign in language. It is from this class that we find our criminal army most largely recruited. It takes more than one generation to get the taint of "effete monarchy" out of the blood, and the shamrock is a plant of such strong root that it takes more than one generation to replace it with the golden-rod. We have not time to study the complex and often confused tables of nationality to be found in our various reports of prisons. But if we turn to the report of the Prison Association of New York for 1888, and study the tables of discharged prisoners, we shall find quite enough to convince us that a danger incident to unrestricted immigration is to be found in the unborn families of incoming aliens. Of 584 discharged prisoners who applied for assistance to the Prison Association of New York in a single year, 174, or 30 per cent., were foreigners, and 238, or 41 per cent., though born in this country, were the children of foreign-born parents. If in our thought we consider the foreign population as the foreign-born together with the children of the foreign-born, we find that this class furnishes rather more than 71 per cent. of our prison population. Lest these figures should not be considered a fair showing, as having been gathered outside the prisons, I will take the figures of a typical institution, the report of which happens to be lying close at hand as I write. Of 182 prisoners committed to the Massachusetts Reformatory for Women in 1880–81, 88 were of foreign birth, and 149 were either of foreign birth or the children of foreigners; that is, 48.3 per cent. were alien in fact, and 81.4 were the children of foreigners, having the prejudices and vices of foreigners and the crime tendency of their respective nationalities.

From the figures that I have quoted, it is very evident that there is some relation between the great stream of immigration and the ever-increasing crime class of our country. Let us try to find out just what this relation is,—whether a relation of quantity or

quality; whether our action in the matter should be in the direction of reducing the number of immigrants or of demanding an improvement in their character. If we again examine the figures of the census reports, we shall no doubt be surprised that, with the enormous volume of immigration, the percentage of the foreign to the native element remains much the same in the last three census periods, ranging between 13.1 per cent. and 14.4 per cent. of the population. The increase of crime, however, is enormous and out of all proportion to the increase of the population. Going back to 1850, as the first census period of our reckoning, we find that the ratio of prisoners to each million of the population was 290 for that year; for 1860 it was 607 to each million; in 1870 it was 853; in 1880 it was 1,169. These figures force us to the conclusion that the increase in crime has no relation to the mere volume of immigration. The relation, if any exists, must be found to be a relation of quality rather than of quantity.

This naturally brings us to an analysis of our immigratory increase, since, if any relation is to be found between this factor of population and our crime increase, it must be found in the kind of people that are coming to us. In regard to nationality, we find that, of our foreign population,

The British Empire furnishes	5.5 per cent.
Ireland furnishes	3.6 "
Germany "	3.9 "
Norway and Sweden furnish	0.7 "
China furnishes	0.2 "
Italy "	0.08 "

Now, let us see if these percentages are in proportion to the foreign element of our prison population. I find by the figures of the United States census* that, of our prison population,

The British Empire furnishes	12.5 per cent.
Ireland furnishes	9.2 "
Germany "	3.6 "
Norway and Sweden furnish	.4 "
China furnishes	.9 "
Italy "	.2 "

This, it will be seen, is only placing our reckoning among those born in foreign countries. A glance will show us the disproportion between Ireland's 3.6 per cent. of the population and her 9.2

* In this estimate, prisoners convicted for minor military offences are omitted, leaving the aggregate of prisoners 57,684.

per cent. of the criminal class; that her crime tendency as represented here is in strong contrast with the figures for Germany which show 3.9 per cent. of the population and only 3.6 per cent. of the prisoners, or just above $\frac{1}{3}$ of Ireland's record in the imprisoned crime class. It is much to be regretted that we have no statistics easily available for similar comparisons in that larger class, the children of foreign-born parents. The best we can do — and it gives us an approximate idea of the condition of things — is to turn once more to the report of the Prison Association of New York. We see at a glance that 276 of the 584 discharged prisoners who applied for help, or more than 47 per cent., were either born in Ireland or were of Irish parentage; while Germany, furnishing 134,254 more of the population of the country than Ireland, furnishes but 12.8 per cent. of these beneficiaries, — a trifle more than one-fourth the number furnished by Ireland. Wherever in the United States prison figures are obtainable, the results are not greatly different.

If there is among the Irish immigrants a tendency to lawlessness, a superabundance of unrestrained Celtic energy that makes for crime, surely we ought not to have been the first to discover it. It has been hinted at from time to time in the British House of Commons; but, as I was told by an impartial Irish agitator, "if you hear anything against Ireland in the House of Commons, you are not to believe half of it; and, if you hear anything good, you may know that the half of it is not told." I will set any statements made in that place aside, and seek my figures in the tables prepared by one of the coolest and most careful statisticians the world has known. We have seen that Great Britain furnishes 12 per cent. of our prison population, and that more than 9 per cent. is Ireland's portion in this sum. I take up an essay by Professor Leone Levi "On Indictable and Summary Jurisdiction Offences in England and Wales," and I find therein a reckoning for England similar to that which we have been making. Professor Levi states that the percentage of foreign-born population and prisoners was as follows: —

	Population. 1871.	*Criminals.* 1878.
Natives of Scotland,	0.9	2.3
" Ireland,	2.5	13.1
" colonies,	0.3	0.4
" foreign countries,	0.6	1.3

Professor Levi attempts no explanation of the preponderance of

Irish offenders. He says further that "the total number of persons charged with crime was to each 1,000 of the population, in 1876, in France, 19.38; in 1878, in England, 27.8, in Scotland, 41.25, and in Ireland, 51.10. Thus it will be seen that the crime tendency of the Irish is more than double that of the French, and nearly double that of the English. We have no occasion here to discuss the cause of this crime tendency among the Irish. We have nothing to do with operative causes only so far as they appear in the personal history of every emigrant who seeks to land upon our shores; and no emigrant should be allowed to land of whose antecedents something is not known. At present, the facilities for investigating the antecedents of emigrants are meagre and inadequate. They do, however, constantly reveal cases that may well cause us alarm, and which emphasize the demand for more concise and thorough laws. Since we have found that the parallel between the increase of crime and the increase of immigration is not one of numbers, it behooves us to examine carefully the raw material for population that is being shipped to us.

The special committee of Congress to which I have already referred has in its report given us much carefully collected evidence, showing us that we are constantly receiving those who are known to have been burdensome to their own governments and are likely to become so to ours. Our consular reports on the subject are corroborative of the same danger. The reports of the immigration commissioners show the annual discovery of scores of criminals, but say nothing about the other hundreds who are undiscovered at the gate of the nation. Speaking of the law as applied to this class, Senator Morrill, in the speech from which I have already quoted, says: —

In the case of convicts, our present law is even more faltering and uncertain. The party may be verily guilty, but, if unconvicted, it does not count, and the law does not apply. It can hardly be expected that men on the rogue's march, hunted out or in dread of being hunted out of their own country for crimes, will come here, and, at the instant of landing, turn state's evidence and confess themselves convicts,— an act which would be likely to send them directly back to the frigid justice of the land from which they had but just escaped. . . . Obviously, the detection of convicts or criminals, from their physiognomy or their wardrobe, by State commissioners, when altogether limited to such tests, must be perfunctory and unsatisfactory. But convicts are known at home, where the taint adheres forever.

Mr. Richard Daily Lang, in the admirable essay on "Evil Effects of Unrestricted Immigration," which took the prize of the American Economic Association, referring to the inefficiency of our present law, says very pertinently: —

It is hardly necessary to point out the impossibility of the commissioners (as in New York) selecting, from a mob of 9,000 human beings daily, those who are prohibited, by simple inspection and in a limited time. A convict does not assume his stripes when travelling, but, like his more lordly neighbor, he goes incognito. . . . The Anarchist waits an appreciative audience before he harangues.

The investigating committee of congress (generally spoken of as the Ford Investigation Committee, from the name of its chairman, the Hon. M. H. Ford, of Michigan), already referred to, places in the evidence obtained by them the statement of Examiner Hoffman, who declares that he had "seen immigrants with brands of a foreign workhouse, ticketed to different sections of the country"; and one of the emigration commissioners declares that "the local administration of affairs at Castle Garden, by the method and system now followed, is a perfect farce."

Until within a short time, the rooms of the Prison Association were frequently visited by discharged French, English, Swiss, and German criminals, who had been "assisted" to emigrate, in some cases with a suspended sentence hanging over them and emigration the alternative. Having been admonished, during the administration of Mr. Evarts in the State Department, that no succor must be given by the society to British criminals, a hard and fast rule was made, to the effect that in case of such applications the authorities at Castle Garden should be notified. This rule was communicated to the foreign societies with which the Prison Association was in affiliation. The law, however, has been evaded again and again. Not many months ago a case came under the writer's notice which was so strongly typical as to be worthy of detailed citation here. My memorandum reads: —

Case of Charles Barrel, English, forty years of age. Came to this country with a note of introduction from the chaplain of an English prison. He stated that he was a ticket-of-leave man, sent to Manitoba by the Sheriff's Fund of London, but provided with a ticket only to New York. No money was given him for his fare from that point to Manitoba. He secured admission to a home for discharged prisoners. Afterward found work at his trade, that

of an engineer, in a hotel. He lost this place through the treachery of some one in whom he had confided. He then went to Chicago, where he was for a time in a home for ex-convicts. He committed a burglary in Chicago, and when last heard of was serving a term in the Illinois State Prison at Joliet. He was a man of rough and forbidding appearance, somewhat pitted by small-pox. He had a quick temper, and will most likely be a dangerous man all his life.

Every detective in New York knows that there is scarcely a ship landing immigrants that does not bring English, French, German, or Italian "crooks." The law reads that "convicts" shall be sent back. Who shall dare to send back the unconvicted thief, though known to have been a member of the criminal class for years? Not only do foreign criminals come here in hordes, seeking "fresh woods and pastures new," or to escape too close scrutiny at home, but there come by thousands members of those helpless classes from which crime has little difficulty in recruiting its ranks. In the New York *Sun* of July 9, 1889, appeared the following article: —

In the London correspondence of the *Sun* of June 9, facts were stated about the methods that prevail on the western coast of Ireland, which, to quote the words of the correspondent, "might interest the commissioners of emigration in New York." It was stated that Erris, in county Mayo, had been placarded with posters requesting persons desirous of emigrating to America to apply to Emigration Agent Bourke. There were many applications, and Bourke selected 100 of the poorest and most worthless families of the population for transportation. A hitch arose which compelled him to give up the idea of sending them over in a body, and he hit upon the plan of shipping them at the rate of one family a week, his method being to put one man in as the head of a family, and to send a lot of others as his children and relatives. This statement was made on the authority of the Rev. Henry Hewson, the parish priest, whose word was corroborated by Mr. John S. Murphy, a leading merchant. Commissioner of Emigration Edmund Stephenson, of this city, at once wrote to the Rev. Mr. Hewson and to Mr. Murphy, stating the substance of the article, and requesting their personal statement as to the truth of the report. Mr. Stephenson took the precaution not to mention that he was one of the commissioners of emigration, fearing that, if he did so, he would get no reply. He has just received an answer from Mr. Murphy, dated Belmullet, June 27. Mr. Murphy writes: "The poorest and most worthless class are sent from this place on what is termed the 'free emigration,' by what is called here the 'emigration committee.' The committee is, I believe,

only nominal: it is embodied in the person of the gentleman you mention, a Mr. Bourke, who was formerly vice-guardian of Belmullet Union."

Mr. Murphy goes on to state the methods employed in the selection and shipping of emigrants, and corroborates the *Sun's* statement in all respects. The writer in the *Sun* then quotes as follows the remarks of Commissioner Stephenson upon these facts: —

There is a systematic movement on the part of the European governments to dump their paupers on our soil. Since the protest on the part of our government in 1884, their movement has been conducted secretly, but not without success. Last year, according to the report of the commissioners of emigration, out of some 380,000 who landed at Castle Garden, only 501 were sent home, which is less than the number who were returned the preceding year. The commissioners did, however, pay the return fare of about 600 others, who, if they had remained, would have become a burden to the country. So far as Castle Garden is concerned, the country would be better off if it were wiped out of existence. Castle Garden is a cover. It is not as it used to be. Formerly the people had a chance to see what sort of emigrants were landing upon our shores, but to-day these emigrants are taken charge of by agents immediately on their arrival and sent to remote parts of the country. The people are not alive to the question, and the very clerks in the Garden are between two fires,— on the one hand, the presidents of the Irish Emigration Society and of the German Society of New York, each of whom has a full vote in the board, and, on the other hand, the State commissioners, whose duty it is to enforce the law. I think it is high time that the public should acquaint themselves with these facts.

I wrote to Commissioner Stephenson as to the truth of this newspaper statement, and he corroborated the whole of it. In his reply he said that he had been informed by a Pennsylvania congressman that, of the eighteen persons in jail in his county under indictment for murder, every one was an immigrant of the Slavic race. And he adds: —

Only a few days ago the grand jury of the county of New York made a presentation to the court of the overcrowded condition of our almshouse and insane asylum. Unless some national legislation is had to restrict indiscriminate emigration, the pauper class will accumulate faster than we can erect buildings to cover them.

The following clipping from a Western paper contains a fact cor-

roborated by the Castle Garden authorities: "The Castle Garden authorities have discovered that the Prisoners' Aid Society, of London, has been shipping convicts from England to Texas at the rate of one or two a week for several months." It would not be difficult for me to fill pages with opinions and evidence all tending in the same direction that I have indicated already. But on these facts and figures I am ready to rest my case, merely reviewing the ground we have passed over, and suggesting the only apparent remedy in a few plain and, to my mind, incontrovertible propositions. They are: —

1. That there is a relation between crime in America and immigration. 2. That the foreign population furnishes a prison population out of all proportion to its relation to the general population. 3. That the increase in crime has no more than tallied with the proportionate increase of immigration. Therefore, 4. That the crime increase is not due to an increase in the mere volume of immigrant population. 5. That certain nationalities are more conspicuously represented in the increase of crime than others. 6. That the Irish, Chinese, and Italian immigrants furnish a far larger percentage of prisoners than is their ratio to the general population. 7. That this indicates a special tendency to crime among the immigrants of these nationalities. 8. That this crime tendency is in conformity with the crime statistics of the nationalities named, elsewhere gathered and tabulated. 9. That the remedy is to be found, then, in rigidly restricting immigration from those countries which furnish a larger percentage of prisoners than their percentage of the general population; as, for example, Irish emigrants should have special restrictions put upon them until the 9.2 per cent. of the Irish prison population shall have fallen to 3.6 per cent., which is the proportion of the Irish-born to the general population. 10. That a precedent in this direction has already been established in the case of Chinese immigrants; and the Irish element of our population cannot complain, since it has not merely acquiesced in, but done much to originate and support, the movement for the prohibition of Chinese immigration. 11. That the dangers noticeable in the increase of actual foreign criminals are emphasized by the fact that there is a similarly appalling increase in the pauper, insane, and idiot classes, and that the figures as to ratios of nationality are much the same in all these indirectly crime-producing classes.

It must be remembered that we approach this subject simply

from the standpoint of penology. No fair-minded man can be insensible of the debt we owe to immigration, and especially to Irish immigration, in the development of our country's resources. The national interest still demands that we shall give welcome to any element that shall increase useful citizenship. We are not going contrary to the principles of our government when we protect ourselves against foreign criminals and foreign paupers, or against any class or nationality likely to produce criminals or paupers. With our present law such protection is not afforded. Legislation looking to more careful restriction has thus far been a failure. The Ford–Investigating Committee reported a bill that called for an increase of the immigrant "head money" from 50 cents to $5, and which required that the emigrant should produce a certificate from the United States consul nearest his place of residence, certifying to his good character and his general fitness to become a safe resident of the United States. This bill failed to become a law. It is said to have been defeated by the organized opposition of the two great foreign societies that dominate in the councils of the New York emigration commissioners. Had it become a law, these organizations by its various conditions would have been shorn of their influence in the commission, and of much political power out of it. As has not infrequently happened, the ends of national interest have been defeated by a factor that owes its existence and its influence to a single State. The defeat of this bill furnishes an additional reason why the whole matter of the control of immigration should be placed beyond the power of any State, and especially of any organization within a State. New York is the principal gate of entry for immigration; but it is a gateway that opens out to the prairies and to the Mississippi Valley. Ohio and Kansas and Minnesota have a right to demand that the sentinels placed there shall be placed in their interest. The country, with its crowded jails and prisons, has a right to demand that its safety shall not be imperilled for the sake of New York politics.

And what should be the course of legislation in all this matter? Manifestly, to put national wisdom and national power behind it all. In the shadow of the dangers we have seen, let us sit down and study for a moment the details of the law. We do not seek to reduce the volume of immigration: therefore, there can be little advantage in increasing the head money, certainly not beyond such a rate as will furnish ample funds for the expenses incurred in the regulation of immigration.

We do not want to keep out the Irish laborer who seeks in this land higher wages for hard work, which he is qualified to do and which he expects to do. He might find some difficulty in paying the $5 head money, when the Irish thief would have no difficulty whatever in paying it. The only possible advantage that I see in the increased head money would be that it would sooner exhaust the various funds that now assist pauper emigration. What we most need is a thorough and systematic examination of every emigrant by our representatives abroad. Before granting a certificate of good character and correct and industrious habits, a thorough investigation by proper officers should be made. No person should be allowed to land here, with the intention of taking up his residence, until he has a certificate stating such intention, signed and filed, with proper vouchers as to its truth, three months before his date of sailing. This would give our consuls time to have his character properly investigated. To cover the expense of this investigation, I would have the intending emigrant deposit $5, or some other sum to be agreed upon, with the consul, this sum to be forwarded to the immigration bureau of the government in America, and to be returned to the immigrant without interest on application one year after arrival here, provided that for that time he shall not have, in any sense or for a single moment, become a public charge. The honest laborer could easily command that sum, and the blameless, able-bodied pauper could borrow it from those who are now willing to assist him to leave. The forfeitures under this act would in a large degree pay the expenses, on this side the water, of caring for and returning the delinquents and crime class of immigrants. The proper investment of this enormous sum continuously flowing through the immigration bureau of the government would yield an income quite sufficient to care for those who become burdens upon our hospitality. The 500,000 annual immigrants would yield a sum of $2,500,000 constantly on deposit with the authorities, which ought to yield at the lowest rates not less than $100,000 a year of income. I do not think that we want any adult immigrant here who has not had the thrift to save $5 from his earnings, or whose credit is not good enough to enable him to borrow it.

Here I must leave this most important question, by quoting once more from Senator Morrill's speech a single paragraph. It contains a sentiment that all patriotic Americans must indorse: —

We hold a tempting part of the world, and to those who come

with clean records, seeking to escape from the iron heels of foreign aristocracies or from the strangulation of a superabundant population, we leave our doors wide open; but shall we not refuse hospitality to all classes of alien irreclaimable maniacs, mendicants, and miscreants? And may we not refuse to become a universal almsgiver on compulsion? Our countrymen must not be coerced to support the weak, vile, and hungry outcasts from hospitals, prisons, and poorhouses, landed here not only to stay themselves, but to transmit hereditary taints to the third and fourth generation.

5. THE DEAD HAND.

BY H. L. WAYLAND, D.D., OF PHILADELPHIA.

(Read Sept. 5, 1889.)

The question which I propose very briefly to discuss is, How far shall the men of to-day allow themselves to be held motionless in the dead hand of a former generation?

That there are no limits in the premises, that it is the right of a man to get all he can under the forms of law, and to use just as he will all that he has got, and to prescribe absolutely how his property shall be used for all time after his death,— these have been reckoned axioms. And (rather strangely perhaps) it has been reckoned (if there are degrees in axioms) that the longer a man has been dead, so much more axiomatic became his right to the absolute control of his possessions. It might be an open question (though not very open, only just ajar, as it were) as to the directions of a man who died yesterday; but, as to the will of a man who died ten centuries ago, all its requirements have been gaining added sacredness each year in geometrical progression. And if, perchance, the conditions go away back into the dark ages, especially if the name, or perchance the very personality, of the founder has been lost in the remoteness of antiquity, then there is a degree of sanctity attaching to the whole affair, such that he who ventures to make any inquiries as to the obligations of the trust has occasion to consider attentively the story of the men of Beth-she-mesh, who looked into the Ark of the Lord.

A woman left by will certain property "to be used in printing, publishing, and propagating the sacred writings of Joanna Southcote." Presently, the last member of the sect founded by Joanna died; but, for all that, the English courts held that the will must be carried out, and the property devoted through all time as prescribed by the testator. A man left a foundation, requiring that each year a sermon be preached in Norwich, Eng., to the Walloons, in Low Dutch. So each year a clergyman, who does not understand the language, commits to memory a sermon, and preaches it to bare walls.

I have taken these illustrations from "The Dead Hand," a collection of very able and striking essays and addresses "upon the subject of endowments and settlements of property," by Sir Arthur Hobhouse, now Lord Hobhouse. He gives many other instances in which the effect of foundations is not only nugatory and futile (as in the above cases), but in the highest degree hurtful. In 1793, George Jarvis left a large property to be spent in charity on the poor of three small parishes, with a total population of less than nine hundred. The result has been to induce in the people of the parishes thus cursed a habit of indolence, thriftlessness, and drunkenness, and to draw to the parishes a crowd of indolent vagabonds from every quarter, the pauper population increasing in thirty years sixty per cent. In many other instances where a bequest has been left to the poor of a town or village, the income has increased till there was ten times as much as could be wisely spent in charity in the village proposed; but the idle have been drawn thither, and thrown on the town, raising the poor rates and reducing the rate of wages. In one instance, the result of such a bequest was that one-thirteenth of the population had become paupers, equivalent to eighty-five thousand paupers in Philadelphia.

As bearing on the tendency of funds used for indiscriminate charity, Mr. Gladstone, in the House of Commons, in 1863, quoted from the report of the Poor Law Commissioners of 1834:

> The places intended to be favored by large charities attract an undue proportion of the poorer classes, who, in the hope of trifling benefits to be obtained without labor, often linger in spots most unfavorable to the exercise of their industry. Poverty is thus not only collected, but created, in the very neighborhoods whence the benevolent founders have manifestly expected to make it disappear.

Of the worse than waste of money expended in indiscriminate charity, this Royal Commission, appointed to inquire into the working of the poor laws, reported: —

> If twice the number of millions of pounds [collected for the poor rates] were cast into the sea annually, we might still be a moral, industrious, and flourishing people; but, if the whole of the poor rates could be raised without inconvenience,— if they were paid to us, for instance, as tribute by foreigners,— and were still applied as they are now, no excellence in our laws and institutions in other respects could save us from ultimate ruin.

In November, 1886, at Rochester, in Kent, Eng., I saw on the front of a staid and venerable-looking house a tablet bearing this inscription: —

"RICHARD WATT, Esq.
By his will, dated 22 Aug. 1579,
founded this Charity
For six poor Travelers
who, not being Rogues or Proctors,
May receive gratis, for one night,
Lodging, entertainment
And fourpence each."

The property, which, in the day of the late Mr. Watt, was waste moorland, has become valuable, and brings in an income of which only one-thirtieth is spent upon the "six poor Travelers"; but this thirtieth is enough to collect each evening a crowd of vagabonds, from among whom the proper authorities select six, who are housed and presented with fourpence each. The rest of the vagabonds, I suppose, are thrown on the town or on the charitable.

I chanced once to be in London at Easter. It was stated in the daily papers that, on that day, in one of the parishes of the city, a dozen poor old women receive each a shilling, on condition of picking it up with her lips off the grave of the founder. The struggles of the poor, decrepit, rheumatic creatures afforded no end of entertainment to the ingenuous youth of the vicinage.

Then there were the numberless bequests made on condition that each day, through all time, masses should be said for the soul of the founder. And in some instances, where the testator was a person of ardent piety and burning zeal, the will provided for an annual supply of fagots for the discouragement of religious eccentricity. These were representative instances. The number might be indefinitely multiplied from among the forty thousand foundations, called "charitable," existing in Great Britain.

In these and similar cases, the English courts have held that the will of the founder must be carried out, unless it is physically impossible. Where a fund was left to ransom Christian captives taken by the Algerines, it is held that, as no such captives now exist, the money may be used for some kindred purpose. But, where it is physically possible, the will must be carried out, even if obvious harm ensue, and even though, in some instances, a literal carrying out defeats the very spirit and purpose of the will. I shall of course be reminded that Parliament is omnipotent

in these as in all matters which affect the people living within the four seas. But what prospect is there of gaining the ear of Parliament, already overwhelmed with imperial affairs? And who is going to undertake the labor and expense of bringing these abuses before Parliament?

Such are some of the results of the cultus which Lord Hobhouse calls "founder worship." What else was to be expected, if the matter were to be looked at in a dry light, if the question were regarded as open, if we were now to take it up as wholly new? It is a great obstacle to getting just views of almost anything that while with each generation there is an added volume of experience and material for a just judgment, yet there is also an added tendency to aberration. When we have become accustomed to anything, we regard it as belonging to the essential scheme of the universe. Nature does not more truly abhor a vacuum than does the human mind, which has inherited from the Fall a baleful conservatism, shrink from opening questions and from disturbing the moss of ages. But let us try for an instant to enjoy a novel sensation; let us use our reason; let imagination and sentiment and a misguided reverence for the dead enjoy a moment's repose.

What might we expect would be the effect of allowing the dead to rule through their bequests the coming generations? The men of the former days were liable to all the passions, all the selfishness, which pervade every age. A man in making his will may be influenced by spite, by vanity, by jealousy. Sometimes bequests which are called in law "charitable" are really the result of the meanest and most contemptible motives. A man who dare not assert his character during his life, who does not desire to arouse the contempt and hatred of those with whom he is living, will embalm his revenge or his animosity in his will, not to be brought to light until he has found a safe refuge under ground.

Mr. Thomas Nash, who seemingly failed to find a heaven in his home, bequeathed £50 a year to the bell-ringers in the Abbey Church, Bath, "on condition of their ringing on the whole peal of bells, with clappers muffled, various solemn and doleful changes, from eight in the morning to eight in the evening (with suitable intervals for refreshment), on the 14th of May in each year, being the anniversary of my wedding day; and also on every anniversary of the day of my decease to ring a grand bob major and merry, mirthful peals, unmuffled, during the same space of time, in joyful commemoration of my happy release from domestic tyranny and wretchedness."

It is absolutely certain that the testator will be ignorant of the needs and circumstances of the generations following him, as well as destitute of the new light which will, after his death, come to the world on every question. A man may leave property for the support of the poor in a certain town: in time, the town may lose its population. He may leave money for the support of a church in a certain place: in time, the church may no longer be needed there, but it may be urgently needed elsewhere. The population of the city of London was once numbered by hundreds of thousands. Now it is less than 75,000, and is decreasing. But the 106 parish churches have an income of £120,000 ($600,000) to be spent on these 75,000 souls. In some instances there is absolutely no population in the bounds of the parish. The ground occupied by the Bank of England is, I believe, a parish, geographically.

In very many instances in our own older States, where was once a flourishing village now there is nothing. A friend has mentioned to me a village in Cayuga County, New York. Fifty years ago there was a thriving neighborhood, with stores, a blacksmith's shop, perhaps a grist-mill. Now, within a radius of half a mile, there are but two houses: all has vanished. If a fund had been left for the support of preaching in that locality, would not regard to the wishes and intent of the founder suggest that it be expended in the growing Western towns, where are to be found to-day the representatives of the villagers, the people who would have enjoyed the fund if they had chanced to remain at home?

The only thing absolutely certain in the premises is that the men of the former generations were less informed than we. But a living man may be instructed and influenced. With a dead man we cannot argue. Practically (so far as this world is concerned), "the dead know not anything." When we allow ourselves to be governed by the dead hand, when we worship the founders and the fathers, we worship those who knew less than we, who were liable to all our weaknesses, and who cannot be influenced by reason or enlightened by experience.

The late John Guy Vassar, of Poughkeepsie, N.Y., left $180,000 to found an asylum exclusively for indigent orphans of Dutchess County. A careful search has revealed thus far in fifteen out of twenty townships only two orphans. Still, it is not impossible that, with such a motive before them, a sufficient number of orphans may qualify to consume the income of the bequest.

Two centuries ago some one left to the vicar and church wardens of the parish church at St. Ives, Huntington, England, a fund to be devoted to the purchase of Bibles, which, according to the will, were to be raffled for with dice in the church on each Whit-Tuesday. So this year, as previously, after a shortened form of evening prayer, the vicar delivered an address, in which he said that they were sorry to observe the custom, but it had been observed for two hundred years. A table covered with a white cloth was brought forward. Half a dozen boys and girls came, as their names were called, and each threw the dice, which were provided for the occasion. Each had three throws; and those who threw the highest numbers won the Bibles. The ceremony closed with a hymn and the benediction.

Consider foundations for the support of the teaching of a certain set of opinions, scientific, political, economical, or theological. Is there a thinking person who would be willing to be bound for all time to the precise opinions which he held twenty-five years ago? Who is there, who, if he had irrevocably provided twenty-five years ago for the teaching of these views, would not be sorry to-day? Why, then, should we desire to impose upon all coming time the views which we chance to hold on the day we make a will or bestow a foundation? And is there not a danger that, in making foundations for the support of a certain kind of teaching, we are setting a snare to consciences, and violating the precept that "no man set a stumbling-block or an occasion to fall in his brother's way"? Suppose that a man's living depends on his believing, or more properly on his *professing* to believe, certain things: is he not liable to profess what he has ceased to believe? or else is he not liable to exercise his ingenuity in getting a certain sense out of the enforced statement which it never was intended to bear?

In reply to all arguments against the permanent control of "The Dead Hand," the hearer replies with his wonted acuteness: "Granting all that you say, yet, after all, you do not reach the point. A man may or may not dispose of his property wisely; but, after all, it is his property. His right to it is absolute. We have no right to interfere with his disposing of it. Perhaps it would be wiser for him to sow wheat in his field than rye. But I have no right to interfere. 'Is it not lawful for him to do what he will with his own?'" But is it quite beyond argument that a man may do what he will with his own? Are there not a great

many things which a man may not do with his own? A man may not start a butt factory or a bone-boiling establishment next door to you. A man may not leave his estate to accumulate for an unlimited time.

I apprehend there is no right of absolute ownership. Each generation receives a great deal from the generation which precedes it: its possessions are a trust under the will of the past generation, to be transmitted to the generation following. Each generation is but a life-tenant. It has no fee-simple. And much of the value of the property held by the generation of to-day is really given by the generation which is to come. The railroad of to-day is valuable, largely because fifty years from to-day men will use it and will pay for the use of it. The bond due in 1939 owes half its value to the fact that the next generation will pay the coupons. We enriched the last generation (unconscious benefactors) before we were. The amount of gratitude due from each generation to the following, the sum of the debt we owe to posterity, has never been adequately considered. Still more, suppose that a founder of the last century left certain land for a certain purpose. That land derives all its present value from the labor of the men of to-day. Without this labor it would be valueless. Again, in an eminent degree all its *increase* in value comes from the labor of to-day. The land which went begging at $2 an acre is now a bargain at $5,000. Who created this increase?

"Shall I not do what I will with my own?" But is it your own after your death? When you die, then, so far as this world is concerned, you cease to exist. In a recent case tried in England before Mr. Justice Stephens, a man was charged with libelling a dead person. "But," said the judge, "to libel the dead is not an offence known to our law; for the dead have no rights and can suffer no wrongs." Why? Because they are non-existent, so far as this world is concerned. Can they then hold property and control it for all time? Certainly Lord Bacon denied the right of the dead to property when he said, "Defer not charities till death; for, certainly, if a man weigh it rightly, he that doeth so is rather liberal of another man's than of his own."

Property belongs absolutely neither to the dead nor to the living. Each generation in its turn has a *life interest* in all existent property, and is to use it according to its wisdom for its own benefit and that of the coming generation. The next generation in its turn is to enter on a life interest on the same terms. It seems

self-evident that a man's natural right of control over his property ceases with his life. Since, then, there is no *natural* right, the only right that survives the man must be a right granted by society. It is, then, certainly within the liberty of society to say within what limits and on what conditions it will grant such right.

The directions of those who have ceased from among us, as to property, are to be regarded in so far as they commend themselves to the better, more informed, wider, maturer judgment of the current generation. If a man wants to found a hospital, let him do so; but not prescribe what treatment shall be observed. If he wants to help the poor, let him do so; but let the method be subject to the light of to-morrow. Let not a man by entailing his property clog the prosperity of the future. If a man wants to do foolish and spiteful things, to impose on his wife and children humiliating conditions, let him do so during his lifetime, and face his deeds. Let him act, while he is (*presumably*) within the reach of reason and appeal. Let us try to use the property of the founder as he would desire if he were living now and had our light. Let us use it as he now desires to use it, if he has knowledge of what is taking place on earth. Let us save him from the pain of knowing that his property is being wasted, or worse.

But you say that, if these views prevail, if a man has to make his devises subject to revision by the next generation, men will not make devises. I am by no means sure of this. If a man is acting from spite or vanity, he may indeed shrink from having his conditions and bequests revised; but, if he desires to do good, why should he not say, "I bequeath so and so for the treatment of the sick, according to the best methods which medical research may indicate from time to time; I bequeath so and so in trust to such a board and their successors, for the teaching of the truths of the Bible, according to the best light which may be thrown on it with the advance of human knowledge and experience"?

But suppose that it should discourage the establishment of foundations of which the income should be enjoyed for all time? Suppose a man should say: "I do not know what the next generation may do, so I will myself do what I want done. Instead of leaving money to educate one young man for all time, I will educate twenty now, and put the endowment in bodies and souls depending on these twenty to educate each twenty more. Instead of leaving money to sustain a preacher for all time, I will sustain ten or twenty as long as the money holds out. As to the coming

generations, I will leave them to themselves and God." Can money be put at a better interest than this? Is not $100,000 worth more to the world to-day than $5,000 a year (which will presently be $4,000, then $3,000 a year, with the declining rate of interest) through a long series of years in the future? Perhaps, in the effort to do this, a man might have to devote more time to *using* his money, and less time to multiplying it. Perhaps, if he knew that he could not dictate with absolute fixedness the future disposal of his money, one motive for unlimited accumulations would be removed. Perhaps if a man might not tie up his bequests to his children, and thus rule them from his grave, he would take time to train them so that they should govern themselves, thus leaving them less in hand, but more in head and heart.

It is wonderful how we allow ourselves to be cozened by words. We confound mould with sanctity. But, in fact, the presumption is that the longer a foundation has continued, so much the more abuses have crept in, and the further it is from what the founder would desire if he had our light, and the more urgently it demands a complete and radical shaking up. We talk solemnly of the piety of the founders. Whether a founder was pious or not is a question depending on his life, not on his bequests. If the bequests go very far back, they were probably the expression and the offspring of superstitious fear, were perhaps extorted by priestly threats. Augustine, the English saint who baptized ten thousand converts in the river Swale, is reported to have raised the ghost of a lord who had in life refused to pay his tithe, and who in consequence was then very unpleasantly situated, as a warning to those who were slack about tithes. No doubt similar processes were used to secure from dying men bequests to the Church. We are misled by the word "age" and its kindred word "antiquity." Since an aged man has more experience than a young man, and has presumably more wisdom, we fancy that the men of the former times are older and wiser than we of to-day. But, in fact, the men of a millennium ago were youths, were the inexperienced, were but toddling babes beside us of to-day. It is we who are the heirs of the wisdom and experience of all the ages.

The conclusion, then, which I reach is this: I do not by any means denounce all bequests and foundations: I simply assert my belief that all these should be subject to revision by the enlight-

ened judgment and experience of coming generations, and that any system which holds the present grasped by the dead hand of a former generation is a conspiracy against human liberty, human progress, human welfare.

DISCUSSION OF DR. WAYLAND'S PAPER.

The debate opened with the reading by the secretary, Mr. Sanborn, of a letter, which was introduced with the remark that a waiter from the neighborhood of Monticello, in recommending some Virginia claret to a guest, spoke of it as having been made on the land formerly owned by "old Colonel Jefferson of Albemarle." The person thus designated, said Mr. Sanborn, was one of those whose words on any subject would command attention, and who had several times expressed himself on this subject. He then read from a letter written by Thomas Jefferson to Thomas Earle, of Philadelphia, dated Monticello, Sept. 24, 1823: —

That our Creator made the earth for the use of the living, and not of the dead; that those who exist not can have no use nor rights in it, no authority or power over it; that one generation of men cannot foreclose or burden its use to another, which comes to it in their own right, and by the same divine beneficence; that a preceding generation cannot bind a succeeding one by its laws or contracts, these deriving their obligation from the will of the existing majority, and that majority being removed by death, another comes in its place, with a will equally free to make its own laws and contracts,—these are axioms so self-evident that no explanation can make them plainer; for he is not to be reasoned with who says that non-existence can control existence, or that nothing can move something. They are axioms, also, pregnant with salutary consequences. The laws of civil society, indeed, for the encouragement of industry, give the property of the parent to his family on his death, and, in most civilized countries, permit him to give it by testament to whom he pleases. And it is also found more convenient to suffer the laws to stand on our implied assent as if positively re-enacted, until the existing majority positively repeals them; but this does not lessen the right of that majority to repeal, whenever a change of circumstances or of will calls for it. Habit alone confounds civil practice with natural right.

Mr. Sanborn said that the occasion of this letter was the sending by Thomas Earle (who was a Philadelphia lawyer and an older brother of Dr. Pliny Earle, the veteran writer on insanity) to Thomas Jefferson of a pamphlet written by Mr. Earle, attacking the then recent Dartmouth College decision of Chief Justice Marshall. In his reply to the letter accompanying this pamphlet, "old Colonel Jefferson," then eighty years of age, reiterated certain well-known opinions of his, but had never condensed them into a form so concise as here.

Mr. KINGSBURY.— I believe Mr. Jefferson is dead, is he not? (Great laughter.)

Mr. SANBORN.— No doubt, but, as the stone-cutter's apprentice said on the tombstone of the shrill-voiced minister of his parish,

"Being dead, he yet *squeaketh.*" Indeed, the voice of Mr. Jefferson, whether dead or alive, has a fuller tone than such a "nice derangement of epitaphs" would imply; and, where he compresses his argument into so small a compass as here, it is difficult to refute him. He believed that truth and good sense did not die with the utterer, but could be inherited without injury to any of the successors. As for bequests for religious uses, I will cite an authority which I am sure Mr. Kingsbury will not question,—Daniel Webster, arguing a will-case in Boston about 1823. Mr. Webster said that, when a Spanish grandee was dying, the priest stood at the foot of his bed, and said, "Is it your wish that all yonr estates in Andalusia should go to the Holy Church for the benefit of your soul?" The dying man bowed his head. "And is it your wish that all your estates in Castile should also go to the Holy Church?" The dying man bowed his head. At this point, the son of the dying testator thought it time to interpose. "Father, is it your wish that I should take your gold-headed cane and drive this priest out of the room?" The dying father bowed his head in token of assent; and it was done.

Rev. Dr. LAWSON, of Boston, was of the opinion that the number of foolish wills was not overestimated in the paper, and that the absurdities mentioned were appropriately cited; for people need something of that kind to open their eyes to the importance of necessary changes. He happened to be on a committee which received propositions for bequests to an educational institution, and he had seen a great many just as foolish as those quoted by Dr. Wayland. Dr. Lawson favored the idea of a man's giving away all the money he proposed to give during his lifetime, for then he could see that it was applied according to his wishes.

NOTE CONCERNING RICHARD WATTS.

As some injustice may be done to the memory of this good man, who meant well, whatever may be the result of his good intentions, we copy from the annals of Kent, and other sources, additional information concerning him: —

Mr. Richard Watts, of Rochester, in Kent, by his will dated Aug. 22, 1579, ordered: "That, after the marriage or death of his wife, his principal dwelling house, called *Satis*, on Bully-hill, with its appurtenances and his plate and household furniture, should be sold; and, after some legacies paid thereout, the residue should be placed out at interest by the mayor and citizens of Rochester, for the perpetual support of an almshouse then erected and standing near the Market cross in Rochester, and that there should be added thereto six rooms, with a chimney in each, for the comfort and abiding of the poor within the city; and that there should be made therein convenient places for six good matrices or flock beds, and other good and sufficient furniture for poor travellers or wayfaring men to lodge in, *being no common rogues nor proctors*,

for no longer time than one night, unless sickness should detain them; and that the above-mentioned poor folk dwelling therein should keep themselves sweet and neat, and behave themselves civilly to the said poor travellers, each of whom at their first coming in should have fourpence, and should warm themselves at the fire of the poor, dwelling in the said house, if need be."

One-fifth of this fund is now paid to St. Margaret's parish, and two-fifteenths to the parish of Stroud. The remaining two-thirds are in the use of the mayor and citizens of Rochester. In 1782 it amounted to near £500 a year. What is not needed for the almshouse or for the "poor travellers" is appropriated by the city of Rochester to their ordinary poor expenses. In 1771 the house was put in repair by the city. At that time the travellers were admitted there, and received lodging and entertainment according to the original design. In 1808 the travellers received their four groats each, on application to the mayor, but were not admitted into the house, as proposed. From Dickens's account, it appears that it was in 1855 administered as at first. For, although the inscription on the front of the house represents that they are entitled to entertainment *and* fourpence each, it is evident from the will itself that it was not intended that they should receive other food than what they could purchase, each with his fourpence.

The exclusion of *proctors* from the benefits of the will, together with persons known as common rogues, arose, it is said, from an experience of Mr. Watts, which gave him a strong prejudice against men in that line of the legal profession. He was travelling on the Continent and fell sick. He sent for a proctor, and directed him to make his will, which he did. Mr. Watts recovered, however, and, being able, therefore, to examine the will, found that the proctor had made over all the estates to himself, instead of giving them the direction intended. He thenceforward seems to have regarded proctors as *uncommon* rogues.

It will be observed that his dwelling-house bore the name of *Satis*. It gained this name on occasion of a visit from Queen Elizabeth. At her departure he apologized to her for the smallness and inconvenience of his house. She replied by the single word *Satis*, and this became the name of the residence. The mansion on its site still bears that name.— F. B. S.

II. PAPERS OF THE EDUCATION DEPARTMENT.

1. INDUSTRIAL EDUCATION FOR THE DEFECTIVE CLASSES.

In the absence of President Scovel and Mr. H. G. Wadlin, the chairman and secretary of the Department of Education, who had arranged to bring forward reports and promote a discussion on Manual Training, Dr. E. M. Gallaudet, president of the Deaf-mute College at Washington, opened a debate on "Industrial Education for the Defective Classes," by speaking of the manual training now given in schools for the deaf and the blind. He said that, owing to the difficulty of getting employment for these classes, it is necessary to establish shops for their instruction and employment in the several schools. The deaf-mutes in this country are self-supporting in a larger proportion than those in a normal condition. The same can be said as to temperance, morality, etc. This is because every deaf-mute has a chance to learn a trade, whereas, under the restrictive rules of the Trades-union, this is hard for the normally endowed classes. Many of the deaf-mutes are prosperous. This fact has a strong bearing on the wisdom of giving industrial education in *all* our schools. In Europe, the industrial education of deaf-mutes has often included art instruction, with excellent results. In France there are two or three eminent deaf sculptors. Labor-saving machines have not interfered with this education. To the credit of the trades-unions, they do not oppose the entry of these persons into their handicrafts. If they learn a trade and do not like it, they can easily acquire another; for they have been taught to apply themselves. He thought that, if industrial schools were introduced in the public education system, the youth would do better than at present.

Gen. BRINKERHOFF.*—The industrial employment of the insane both of women and of men, is a subject in which I have been very much interested for many years; and I am fully satisfied of its great value. In fact, the great advance in the care of the insane during the past ten years, which has resulted in the aboli-

* For many years a member of the Ohio Board of State Charities.

tion of mechanical restraints in a large number of our State asylums, is due to the industrial employment of patients more than to all other causes combined. I have visited nearly all of the great asylums this side of the Rocky Mountains; and I always found the condition of the insane improved, *pari passu*, with their industrial employment.

I think the term *hygienic*, perhaps, is better than *industrial;* for the purpose of such employment is wholly hygienic, and not for profit; and yet, the more useful or profitable such employment is made, the better it is for the patient. In Ohio, where mechanical restraints are substantially eliminated from our State asylums, we have accomplished this result, in the main, by interesting our patients in some useful occupation. Of course, amusements are helpful; but industrial occupations are more helpful.

As a rule, it is found easier to interest male patients in active industries than female patients. At the Norristown Hospital, Pennsylvania, where seventy-five per cent. of the male patients are engaged in industrial employments, less than fifty of the female patients are thus occupied. One of the most successful institutions I have seen in the use of industrial occupations was the Hospital for Insane Criminals at Auburn, N.Y., lately under Dr. McDonald; but the patients were mostly men.

Probably the most successful asylum in this country, or in any other, in the industrial employment of the insane, is the Alabama Hospital at Tuskaloosa, under Dr. Peter Bryce; but, unlike other asylums, more females than males are thus employed. In fact, *ninety* per cent. of the female patients are engaged in industrial occupations, and *fifty* per cent. of male patients; and the beneficial results are correspondingly conspicuous. In order to be sure of my statements in this case, I recently wrote to Dr. Bryce; and, since my arrival at Saratoga, I have received his reply, which I will now read to you.

DR. BRYCE'S LETTER TO GENERAL BRINKERHOFF.

My dear General,— I am glad to learn from yours of the 17th inst., postmarked the 20th, that you may have something to say at the approaching Social Science meeting on "the training of insane women in domestic industry"; and I feel complimented that you should apply to me for facts and figures, with the pleasant affirmation that you think we are in advance of other hospitals in the employment of women.

There is nothing in the modern treatment of the insane of so

much importance as regular and congenial employment, especially where the principle of non-restraint is in operation. It takes rank, in my opinion, of all other remedial measures; and I would sooner dispense with both drugs and amusements than pretermit our round of daily occupation. Indeed, without regular systematic employment, it would be impossible to inaugurate a successful system of non-restraint; and the failure to appreciate this has been the cause of so many failures in that direction, and the reason, perhaps, of the tendency of late, on the part of English alienists, to depart from the teachings of Tuke at York and Conolly at Hanwell.

As you say, and as others who have visited our Hospital have said, notably the late Dr. W. B. Goldsmith and Rev. Fred. H. Wines, we furnish employment to a larger number of patients, perhaps, than any hospital, in this country at least; and Dr. Goldsmith assured me that he knew of but one hospital in Europe that excelled us in this respect. I do not exaggerate when I say that ninety per. cent of our women find regular daily occupation in the several departments of industry. Of our *five hundred* women, our regular daily reports show, in round numbers, that an average of *twenty* per cent. are engaged in knitting and embroidery; *ten* per cent. in carding cotton and wool and spinning; *fifteen* per cent. in laundry work (washing and ironing); *twenty* per cent. in sewing; *ten* per cent. (colored women) in gardening; and the remainder in general housework,—in the kitchen, dairy, on the wards, and in the several out-door departments.

It is a mistaken idea that the insane are unable to do good work, and do it regularly. Every class of the insane will furnish a large per cent. of work, even the acute cases, dements, and imbeciles. The trouble is in knowing how to get them interested, and this requires constant and judicious management and supervision on the part of the matron and nurses. The latter must take hold along with the patient, and by precept and example establish a sort of *esprit de corps* among those over whom they have charge. There should be, too, a system of rewards, among those who are disposed to lag behind, in the shape of special privileges, extra clothing, tea parties, etc. My matron understands this to perfection, and uses it to great advantage. Under this system, when fully established, new patients fall right into line; and it is no uncommon thing to see a patient who was brought here laboring under the most distressing form of acute melancholia, in a few days quietly engaged in sewing or knitting by the side of her companions.

To accomplish this, as I said, requires labor and constant watching, but it can be done, and effectually done; and, when it is done, the necessity for restraint of all kinds is measurably removed. For ten years past there has been no single occasion where manual restraint was necessary. Our patients do not "gouge their eyes out," as I hear others complain of; and, with a few extra nurses to look after the cases of acute mania, there need be little or no seclusion or isolation.

I have written hastily, and have not emphasized the importance

of work as I would desire. It is the *sine qua non*, the one thing needful, in the successful management and treatment of the insane, both men and women; and we shall never succeed without restraint until we come to recognize the absolute necessity of regular and congenial employment of our patients.

Your friend truly,

P. BRYCE, *Supt.*

TUSKALOOSA, ALA., Aug. 26, 1889.

The General Secretary of the Association, Mr. F. B. Sanborn, who presided at this session, added that Dr. Bryce was a Southern gentleman, whose life-occupation had been the care of the insane, and that he had been the only superintendent of the only State Hospital in Alabama since its establishment before the Civil War. "At my last visit to Dr. Gray of the New York State Asylum at Utica, shortly before his death," added Mr. Sanborn, "Dr. Gray spoke with great satisfaction of a visit he had lately made at Dr. Bryce's hospital, and told me it was the best in the Southern States."

TRAINING INSANE WOMEN IN DOMESTIC INDUSTRY.

BY MISS ALICE R. COOKE, OF SANDWICH, MASS.

(Read September 3, 1889.*)

Before the reading of Miss Cooke's paper on this subject, the secretary, Mr. Sanborn, spoke in substance as follows: —

In the general interest now excited whenever Industrial Education is mentioned, it has seemed to me that the successful experiment of Miss Alice Cooke, in restoring to industrious habits insane persons who had become idle through the loss of mental power and the lack of mental direction, would be useful to this audience, if briefly narrated; and I have asked her to reduce to writing what she told me in conversation. This has been done; but, with characteristic modesty, Miss Cooke has dwelt little on herself, and therefore a few words are needed from me to give this account its proper introduction.

Miss Cooke is a young lady of Barnstable County, the former home of sea-captains and hardy sailors, descended from Puritan planters, and inheriting, as the women of Barnstable do, those qualities that insure success; a trained nurse, kindly, sensible, and firm, whose family circumstances made it needful that she should support herself, and yet remain at home. She therefore proposed to the State authorities, soon after they began in Massachusetts to place the chronic insane in private dwellings (under a law passed in 1885), that she should take three insane women to her mother's house in Sandwich, and maintain them there for the modest sum of $3.25 a week for each woman. This proposition was gladly accepted by me in behalf of the State; and, nearly three years ago, three women were taken by Miss Cooke, with the understanding that, so long as her care of them was satisfactory, not less than three should always remain with her. These first three are those whose improvement she here describes. They have never left her home since she first took them there, in October, 1886, and nothing short of force would induce them to leave it.

To these three were afterward added two more, whose stay was shorter, and their improvement, though considerable, was less marked. About a year ago, for reasons not very creditable, but which I need not here specify, the State Board of Lunacy and Charity (which had taken these five women from a pauper asylum, where Miss Cooke first saw them) determined, contrary to law, to send them to the Tewksbury Almshouse. Miss Cooke declined to be any party to such an abuse of power, and, standing upon her

*Read also at the New England Women's Club, Boston, Dec. 16, 1889.

legal rights and those of the poor women, kept them in her family, where these three still are. In so doing, she imitated the good Quakers of Sandwich, both men and women, who from 1650 to 1680 claimed and exercised the rights of conscience and the duty of protecting the oppressed, regardless of what governors and councillors might threaten or decree. Being unable to support so many at her own expense, and the State Board (who found no fault with her treatment of her wards, as indeed they could not) refusing to pay what they had agreed, Miss Cooke in April last gave up two of them, one to the care of a friend, the other to a hospital. The other three were legally placed under her guardianship by the Probate Court of Barnstable County last June. She declares that she can never permit them to enter an almshouse; and she is a person so resolute that I believe she never will. For the past year she has supported four insane women (and most of the time a fifth) at her own cost, with only such aid as their labor and the friendly interest of others, who saw what she was doing, could furnish. The State authorities, who are legally and morally bound to support them all, have paid her nothing since Oct. 1, 1888. She will go before the next legislature with a statement of her case, and it is to be presumed she will obtain that justice which Massachusetts never long denies to her sons, and will ultimately render to her daughters.

In my opinion, she deserves something more. She merits the thanks of the public for teaching us, in visible results, how much can be done by home training and affectionate authority to light up the darkened mind, revive decayed intelligence, and restore disused powers. From that grave of human hopes and life's possibilities which incurable insanity must be, Miss Cooke has bidden these shrouded figures — once your sisters, and always hers — arise and come forth. They heard her voice, they took her outstretched hand; and behold them once more in active, useful life! Other persons, bearing the State's commission,— some of them, I am ashamed to say, were women,— strove with might and main to imprison them once more in the purgatorial wretchedness of an almshouse. But this little woman, like the "blameless man" in Scripture, "made haste and stood forth to defend them, and, bringing the shield of her proper ministry, set herself against the wrath, and so brought the calamity to an end, declaring she was Thy servant."* Whether it was right for her to hearken unto men more than unto God, judge ye!

* Wisdom of Solomon, xviii. 21.

FAMILY CARE FOR THE INSANE.—MISS COOKE.

With many insane persons, in certain stages of their malady, and with some at all stages, asylum-life, or the care and restraints of a hospital, are quite necessary. But there are others for whom the asylum long since did all that it could in the way of benefit, and upon whom the monotonous life, the absence of affectionate interest, and other circumstances existing in most asylums, exercise an unfavorable influence, and lead to negligence, indifference, or despair.

The patients I am now to describe came to me in October, 1886, and have been with me ever since. They had all been in asylums for at least five years, and one of them much longer than that. All were Irishwomen. The youngest is not more than thirty-seven now, the oldest perhaps above sixty.

The first (Jane W., aged thirty-seven) was a case of dementia following melancholia, with delusions. Her habits were unneat and disorderly; she talked incessantly to herself, would sit in one position for hours, scowling and muttering, often tearing her hair, and sometimes becoming wildly excited and violent in appearance, venting her mania upon the thing nearest at hand. She talked nights, and had but slight ideas of work, and how it should be done. She was very forgetful, needing to be told every day to bathe, comb her hair, and change her dress. After preparing the potatoes for dinner one day, not long after her arrival, we found she had put them into the tea-kettle to boil; and she made other mistakes quite as odd. She would take a pan off the hot stove and set it in her lap, on her dress or apron, just as it happened. One of her peculiarities was to run and hide if a stranger entered the house, complaining that her head was open, and she was in no condition to be seen. This idea has, however, entirely disappeared; and she will see and talk with people freely and rationally, and will even go to strangers' houses on errands, and take pleasure in doing so.

She has now, after two years, so far recovered as to be almost entirely well; and a melancholy day is unknown. She is extremely neat and orderly, keeping her clothes nicely mended, and

making all articles of dress for herself, with very little assistance in cutting and fitting. She is an excellent laundress, and exceedingly neat help in the kitchen; a cheerful and willing worker at all times, and has a most affectionate and lovable disposition; sings Irish songs about her work, and makes witty remarks, keeping others in good humor. Lately, she has taken nearly all the care of planting and tending a large garden, and has done it well. She has grown strong and robust, thoughtful and practical. Kindness and merited praise have done much towards this improvement; and, but for an occasional desire to talk to herself, we should consider her recovery assured. Lately, having more spare time to devote to Jane, I have broken her of this habit of talking to herself. She takes instruction bravely, in this and other matters. Of course, I have to speak to her now and then, when she forgets; but she seldom falls into the habit now.

The second woman, Katie M., more than twenty years older than Jane, was (and is) a case of chronic mania. She seldom spoke intelligibly or intelligently, but talked incessantly and incoherently, often in high and excited tones, *never* smiling. She was up nights, more or less, talking much; took little interest in anything or anybody, and was so oblivious to her surroundings that she would not notice if any one knocked at the door, or a stranger entered the room, and would not reply when spoken to, unless one went close to her and attracted her attention by calling her by her full name. Now, she hastens to answer a rap at the door, and delivers any message quickly and accurately. If we go away, she extends her hand, and rationally bids us "good-by," and hopes we will have a pleasant journey. She expresses her pleasure when we return, saying, "Welcome home"; asks us many questions as to our visit, where we went, and what we saw.

When she came to me, she worked very slowly, so that, in fact, it would take her all the morning to sweep and dust an ordinary room, so often did she stop to wring her hands and talk to herself or imaginary persons. She now works quickly and rationally, and interests herself in all the minor details of housework. She takes sole charge of a large stock of poultry, and keeps account of the number of eggs laid daily. She is a nice laundress and good housekeeper; makes, but does not bake, all the bread for a large family, never making a mistake in the ingredients or quantities, She recollects what days in the week to wash, iron, sweep, or clean, and goes about her duties without being reminded of them, and

without the slightest supervision. She has all the care of the dining-room, arranging the table and changing the linen, and waits upon the table quietly and systematically. She has, therefore, gained remarkably, both mentally and physically; makes all her own clothes, and is a pattern of neatness and order. It is doubtful if Katie can ever be broken of her habit of talking to herself; but she no longer does it when waiting on our table. She does not realize it is *herself* talking, but fancies some one is replying to her; and it would make her very unhappy to keep quiet all the time. Her voice is low and pleasant, and does not disturb us at table; but it is a great step for her to cease her imaginary conversation at that time. Love and kindness have been the only means of training her.

The third patient (Maggie D.) was a case of dementia with delusions. She exhibited high temper and obstinacy, and talked more or less to herself; was extremely careless of her appearance, with unkempt hair, and an offensive catarrhal cough. She was then a constitutional grumbler and fault-finder; now she is nearly always cheerful and obedient, and often sings to the others when she sits down with her work in the afternoon. She is very active, and does her work well; indeed, she does more work and faster than either of her fellow patients. She is a good laundress, chamber-maid, and seamstress, takes pride in her dress, and is neat and orderly. She coughs only occasionally, and is greatly improved in health, looks, and intellect. The mode of treatment in her case has been entirely the reverse of the former two; for, the more kindly and affectionately she was treated, the more impertinent she became. Nothing but firmness and severity was found to be effectual; but she is now obedient. Her punishments have always been slight, the most severe being to take off her clothes and go to bed in the day-time, which she greatly dislikes to do.

Of their own accord, these three women all through the year have kept our table well supplied with fresh bouquets of various kinds of wild-flowers in their season. They have often come home, after roaming through lane and field, their baskets filled with berries or fruit, and their arms laden with vines or choice woodland flowers and ferns, with which to bedeck the house. No little blossom or curious variety of grass escaped their keen eyes; and every vase, pitcher, and old bottle became a rude receptacle for gorgeous cardinal flowers or dainty forget-me-nots, prettily arranged with feathery grasses or delicate ferns. A row of these

varied bouquets may always be found in the window-seat, on the tables, mantels, and even the beams in the unfinished back room, where they do many household tasks in the summer. Great clusters of daisies, dandelions, buttercups, and grasses are piled up in corners of the room or hung over a doorway or picture; and, from the peeping forth of the first little violet in the spring to the last drooping head of brilliant golden-rod in the fall, do these poor but happy creatures keep the house supplied with flowers. When even these are gone, they gather the crisp, delicate bunches of the old-fashioned "everlasting" with which to adorn their rooms. Such delight do they take in their little strolls that they are allowed to go without attendance, whenever they wish; and many a wild grape-vine have they found loaded with luscious fruit, both purple and white, or else a bush of especially fine "beach plums," besides blackberries and huckleberries in abundance.

Then, when occasion requires, we send them to a post-office a mile and a half distant, with letters or papers to mail. They go alone or together, just as it happens, drop the letters in the box, and walk home as sedately and quietly as anybody, well pleased with their three-mile walk.

Katie M., the most demented of the three, who seldom spoke intelligibly when I took her from the Tewksbury asylum, has so much improved as to read a story from a newspaper, repeat it in detail, and laugh and chat over it with the others. Lately she has sung songs, verse after verse, which we did not suppose she knew. They often read to themselves or aloud, and then debate the subject together, correctly and intelligently. On Sunday, they read the Bible, catechise each other, say their prayers, and conduct themselves in every way suitable to the day, which they recognize without being told that it is Sunday. They are such care-takers that every night, before retiring, they see that baskets of kindling for the morning's fire, coal-hods, and water-buckets, are freshly filled; dish-pans hung in a shining row, towels cleanly washed, rinsed, and hung smoothly to dry; and that everything is in *perfect* order and neatness. Lastly, before saying "good-night," they go about the lower part of the house, from kitchen to wood-room, and securely fasten all the doors. Two or three times, when they had forgotten one or more, they have recollected it ere falling asleep, and have never failed to run downstairs and make all fast. Being now in good bodily health, they sleep well, and rise smiling and

happy in the morning. In every conceivable way do they help us in our housekeeping. They are skilful in dressing fowls, for instance, and thoroughly cleaning them preparatory to cooking, and they are never so happy as when they can relieve us of any work. Often, indeed, have they expressed the wish that they could do it *all*, so that we "might always be dressed up and sit in the parlor."

Such is the willingness and faithfulness of these, our three insane treasures. It is almost an unheard-of thing for them to quarrel. They go about their work quietly and systematically, using their intellects in a marked degree, and assisting each other when occasion requires. As I have said, they chat, sing, and read together, go to walk alone or together, and go on errands. They can be trusted in all things, and are great care-takers; could "run the house" for a time, if necessary, being very careful about wood fires, and knowing how to make and tend them. Such a marked change in them all, from their unhappy and disorderly condition of less than three years ago, is, of course, extremely gratifying, but is only a fair example of what quiet, cheerful, and kindly home life will do for the poor insane of the chronic class.

These results must appear remarkable to some; but a person unacquainted with asylum life can hardly realize the many and varied benefits secured by placing the chronic and quiet insane in private families. Those who have the care of them in hospitals agree that the noise and confusion, the quarrels and violent outbreaks of the patients, are a severe strain upon *their own* nerves and mental faculties. If this is the case,—and I know by experience that it is,—what must be the effect upon those unfortunates whose brains are already diseased? In nine cases out of ten, their ambition and interest perish, their intellects become weaker, and they drift into hopeless derangement; and not only is this death to the intellect, but in the majority of cases a long, tedious wearing out of the bodies. Aside from the evil wrought upon the weakened brain, asylum life has an injurious effect upon the bodily health, since it is almost impossible to secure perfect ventilation in the large hospitals; and the foul particles of air are transmitted to the system of healthy patients, thus causing offensive nasal, lung, and stomach diseases that are difficult to eradicate, and often become chronic. Then the noise and disturbances during the day, caused by interfering and annoying patients, are only partially arrested during the night; and the poor

creature that so much needs quiet and rest is oftentimes kept awake by the screaming, singing, cursing, and jabbering of the more noisy ones. How is it possible under such cirumstances for them to improve, and be cheerful and happy?

In the private family, all this is different, or ought to be; and, amidst more natural and wholesome surroundings, a new educational process begins. Step by step, as their minds become clearer, they take up the thread of life, and learn again the little duties that have so long been forgotten, until, by patient and carefully selected tasks, congenial to their different tastes, they have become interested, when they will of themselves finish the work begun by another. Thus it is an industrial education which those poor women have received, and by it they have regained the power of self-support which their insanity had deprived them of. As an experiment in the line of industrial training, it is worth considering, especially if girls are to be trained in domestic industries, and made good, practical housekeepers or servants. What has been done with these middle-aged women, of weakened mental powers, ought to be accomplished more easily with healthy and intelligent young women.

DISCUSSION OF MISS COOKE'S PAPER.

Gen. BRINKERHOFF.—That Miss Cooke's experience is fully corroborated wherever industrial employments have been fairly tested, I have no doubt; and I believe that progress in the future is in this direction more than in any other.

Dr. LUCY M. HALL, formerly physician and superintendent of the Reformatory Prison for Women at Sherborn, Mass., said: I found at Sherborn that the inmates had not learned any work. The first thing in their reformation was to teach them to do something, to be thrifty. The best hospitals have laid aside the mechanical restraint of the insane. I have not found any benefit from chemical restraint. Unless we are employed, we might all become insane.

Mr. F. J. KINGSBURY was surprised that employment had not been tried before in the treatment of the insane. He cited the fact that in Connecticut, previous to 1866, there was no provision for the insane poor in asylums, and that they were fairly well behaved when kept employed about their respective homes.

Mr. FITTS, of Tuskaloosa, said it was from necessity that Dr. Bryce discovered the benefits of employment for the insane. They had to work during the Civil War, and thus the system had grown up.

Dr. J. P. BANCROFT, of Concord, N.H., said that employment had been gradually introduced for years. He was not prepared en-

tirely to give up mechanical restraints in treating patients. There are some cases that demand its use. But where occupation can be had, and the insane can be steadily employed, there is little need of mechanical, or what has been called "chemical," restraint.

Dr. Louise Fisk Bryson said that, to be successful, the employment must be suited to the characteristics and tastes of the patient.

Mr. Jones, of Chicago, said: After I had travelled over this country and much of Europe and Asia, I had to go down into the Barbary States to find anywhere an asylum for the insane that was as bad and inhuman as some in our own counties in Illinois.

He had been a Commissioner of Cook County, Illinois, having charge of the insane; and he thought that mechanical restraints were necessary at times. The public were too ready to condemn the insane asylum methods.

ADDITIONAL TESTIMONY.

Soon after the discussion at Saratoga, the National Conference of Charities, in session at San Francisco, discussed the same question of family care and domestic employment for the insane; and some of the remarks made bear so closely on our subject that they may here be quoted.

Dr. C. I. Fisher, superintendent and physician of the Tewksbury Almshouse and Asylum for the Insane, said (Sept. 16, 1889): —

At the State Almshouse in Massachusetts, we have 350 insane patients of the chronic class: 300 of them are women. Within the past two or three years there has been adopted a plan for boarding out, by which some of these have been put into families, the State paying three dollars and a quarter a week for their board. We sent out about sixty women. It was my fortune to know the condition and progress of some of them intimately; and I believe that for those patients who have become quiet, in whom the acute stages are past and they have come into a condition of dementia, their prospects are better, and they are much more likely to improve under the influences of family life than in the institutions where large numbers are gathered together on the congregate plan. The public have very erroneous ideas in regard to the insane. The popular idea is that they are maniacs, utterly dangerous in a home. But those of us who are familiar with the subject realize that many are more like children in mind, that they are not maniacs, that they can be safely taken into our homes, and that in these homes they will receive individual attention and teaching, as we teach children, and that they may gradually develop and become better able to take care of themselves and to be helpful than if they were left in the asylum or hospital. I remember some persons, living far away from any city in a farm-

ing community, asked me about taking boarders; and I suggested that they take the insane. They lifted up their hands in horror at the suggestion. "Very well," I said, "come down and see me, and perhaps you can pick out some one." The experiment was tried. They took one, and then another, and they became interested in their wards, and the patients soon became helpful. They learned to wash dishes, make beds, and to do plain sewing. It is this individual attention which develops them faster than can be done in the asylum. We who have charge of institutions realize that the average insane attendant is quite desirous of getting her living "in the line of the least resistance," and that she will educate patients to do a certain amount of her work if she can. When my assistants knew that I was about to send out patients, they objected to having those whom they had trained sent; but the patients went. Then I observed that the attendants picked out other patients and devoted their attention to them individually, that they might train them to do the work of those sent out. So I considered the reaction of this system as beneficial to the institution. The activities and energy of the attendants were roused in the process, educating patients up to a degree of helpfulness; and they did not fully relapse into the state of indifference in which they were before. So I have been willing and glad to put out my best patients to board, believing that it was better for the patient to receive the kindly care of the family, and better for the institution. Of course, great care must be exercised in selecting the family into which these patients go. There will be those who regard only the loaves and fishes, hoping to get work out of their boarders, and will overwork them. The families who take these patients must be watched over by supervising boards as carefully as those in which neglected children are placed. But I cannot but believe that there will be more and more of these unfortunate people who will be put into homes, where they will receive the help of the family life and will develop into conditions of helpfulness, and that many eventually will be kept free of expense, the State still holding supervision over them.

Prof. A. O. WRIGHT, of Madison, Wis., secretary of the Wisconsin State Board of Charities, describing the County Asylums of Wisconsin, in the same discussion, said: —

Broken down, old, crippled, blind, and demented persons, all unable to work, make up about ten or fifteen per cent. of the asylum inmates. We have about 75 per cent. at some occupation; and that, we think, is a good record. If some of our superintendents had more enterprise and more faith, we could get a better average. The best asylums have from 85 to 95 per cent. at some occupation; that is to say, every inmate capable of doing any work does some work. About half of the inmates are busy all day. I do not mean to say that their work is worth much pecuniarily. There are some whose work is worth as much as

that of a sane person, however. We encourage our superintendents to bring up the laboring capacity of these insane people, not for the sake of getting work out of them, but to keep the inmates employed. We have in many cases a crude system of manual training. In some, we have been able to train back the intelligence through this manual training. An attendant will take an entirely demented person by the hand, and clasp the hand over some tool, and then move the hand round to do the work. It may be something as simple as dish-washing. She will teach her to hold the dish, without dropping it, in one hand, and the cloth in the other. By patience and steady teaching, the patient will learn the operation, and with this activity of the body comes back, little by little, the lost intelligence. We have had a great many cases of that kind.

The recoveries of the chronic insane are few; but the improvement in their condition and in their happiness is marked under this system, and many are so far improved that they can go home, and all are more content than they ever were before. We claim that taking the chronic insane out of the hospitals leaves the superintendent more time to attend to the acute and recent cases. We claim, also, that it is more economical and natural to transfer these people to farm life. We think that the money that is usually spent on large fine buildings can be better spent in caring for the patients. In many Eastern States, a portion of the insane are cared for at great expense in State hospitals, and another large portion are cared for improperly in jails and poorhouses. The same amount of money used more economically would care for all the insane; and that is what we are doing. When we say that the cost of our insane averages about $1.75 a week, gentlemen from other States say that we are not doing it properly; but leaders in this Conference who have visited our institutions have satisfied themselves that this is not a false, but a true economy. The economy comes in the fact of having more land and a larger amount of labor from the insane, and that we raise a large part of what we use. Our bills for fuel, meat, and vegetables are small, because we raise them all. We are asked if we have physicians for superintendents. No: we would rather not have them. Good physicians cost too much, and poor ones are worse than none at all. We have visiting physicians, the best in the neighborhood, who visit regularly, who are the health officers of the institution and advisers in regard to the treatment of the insane. Our superintendents are from the best class of farmers. Salaries range from eight to thirteen hundred dollars, including board for themselves and families. We try to secure the services of good farmers and their wives; and the wives are often the better of the two. We say to the county officers, In selecting a superintendent, see what kind of a wife he has. If you can find a good woman, and the man is tolerable, that will do. The woman has charge of the interests of the house. She has the home life in her hands, and that is the most important part.

Dr. WILKINS, superintendent of a California Asylum for the Insane at Napa, said: —

I may say a word about placing the insane in families. I visited Gheel with great interest, where we find, perhaps, the perfection of the family system. About 1,100 insane are boarded in that community. About 800 families take boarders. They receive a franc a day for each patient kept by them. Most of the families take but one patient, a few two, but four is the limit that any one can take. In Scotland they have undertaken this to a limited extent; and, when I was there, I was taken by the commissioners for an entire day round to see the different families where these people were boarded. In each place, I think, the plan was working admirably. But in the report which I made on my return to California (and commended this system) I expressed the opinion that the difficulty in this country would be to find persons who were willing to take charge of the insane, even for the compensation paid by the State in caring for them in the asylum. We have encouraged relatives and friends to take patients from the asylum. I have never objected to having a patient taken out that I thought was harmless. We have encouraged them to go out on trial, on leave of absence. There is a great prejudice in this State against the insane. A few miles from here a board of supervisors passed an ordinance concerning a private asylum that was to be built in that neighborhood, that it should be surrounded by an eight-foot brick wall with guards, and that no insane person should be allowed to go out without an attendant. That is the kind of prejudice we have to meet, and it will take time to overcome that. In Massachusetts, more people are willing to take these people for a small consideration. The older the community and the denser the population, the more readily you will find homes for them. Perhaps the plan of Mr. Wright might help to overcome this prejudice. I have never been in favor of large asylums. One great difficulty here is that people are too ready to send their friends to insane asylums. We have people who bring friends who are perfectly harmless, but who are a little troublesome at home. Many of our patients could go home if they had some one there to look after them. We have adopted the cottage system in connection with our institution at Napa, and I hope to extend it. The people are raising small fruits, cultivating the land, and are employed usefully. Employment is the great thing in their care.

2. POPULAR FALLACIES IN REGARD TO INSANITY AND THE INSANE.

BY DR. PLINY EARLE, NORTHAMPTON, MASS.

(Read Sept. 4, 1889.)

Although it is impossible to demonstrate it as a fact, yet all the known data bearing upon the subject very clearly lead to the inference that insanity in the United States is increasing, not merely absolutely, in correspondence with the increase of population, but relatively, as compared with the number of inhabitants. Fifty years ago, the writers upon the subject placed the ratio of the insane to the whole population, in Massachusetts, at one in a thousand. In the last national census, it is shown that in 1880 there was one insane person in each three hundred and forty-three of the population of the State. Had the ratio of fifty years ago been derived from a census as carefully taken as that of 1880, it might be assumed as a demonstrated proposition that insanity had increased nearly threefold within the last half-century. But that first-mentioned ratio was a mere estimate, based upon very imperfect, insufficient, and, doubtless, often indefinite or inaccurate data, and hence unworthy of reliance as a truthful standard for comparison.

But, under existing circumstances, even the present number of the insane in the Commonwealth do not constitute a class sufficiently large to enable the people to become acquainted with their characters, peculiarities, habits, and propensities, both mental and physical, as compared or contrasted with those of that portion of the inhabitants who, by common consent, are regarded as sane. Nearly three-fourths of them are in hospitals, and a large part of the remaining fourth in almshouses and other places of detention or surveillance, where they are withdrawn from general observation. Hence the present generation is probably less acquainted with their characteristics than were the people of seventy-five years ago, before the special institutions for their care had been called into existence, and they were allowed, to a much larger extent than at present, to associate or to mingle with the general population. As

a necessary consequence of this state of things, the public mind is incapable of so far comprehending the nature of mental disorder as to be able to discriminate between the probable and the improbable in relation to the conduct and the language of the insane, or even the physical peculiarities which have sometimes been attributed to them. The disorder,— not to say "disease," inasmuch as disease implies the possibility of death,— in its essential nature, and even in its relation to the conduct and the practical ability of those who are afflicted with it, is an ever abundant and an inexplicable mystery to persons who are constantly surrounded by it, and who are consequently better informed than any others in regard to it. How much more so must it be to those who have had little or no opportunity to become acquainted, by personal observation, with its manifestations! Still clinging to the traditional idea of a mad-house, which, as far back as the time of Hogarth, and probably very much farther, was derived from that class of patients who were the most insane, and the most demonstrative in both language and eccentricity or violence of conduct, they couple with it the mistaken, though perhaps logical notion, that all the insane are so distorted in mind and perverted in body that they constitute a class of beings almost as widely separated from the average of mankind as if they did not belong to the same genus or race. With what facility, then, may errors in regard to them find a place in the public mind! Having little or no positive knowledge of them, fancy, imagination, and the love of the marvellous are left free to supply the place of such knowledge.

I have been led into this train of reflection by the perusal of some memoranda of popular errors entered in a commonplace book upon my office table, to which I shall give here a passing notice. It is not proposed to enter at large upon the subject, to point out all the contrasts between the popular impressions in regard to the insane and those opinions which are the results of long intercourse with them. Such a course would involve too much time and space. A glance at a few of the most prominent alone can here be permitted.

Perhaps no one point in the general belief in regard to the inmates of the institutions for the insane is more widely prevalent than that they are unhappy, wretched, miserable. In reference to a very few and wholly exceptional cases, this is, to a certain extent, true. But farther than that it is untrue. And the same may be said of any class or collection of human beings, wherever situated

and in what mental condition soever they may be. It has been my lot to be connected with each of five such institutions sufficiently long to become acquainted with its patients; and, judging from the experience thus obtained, and writing not thoughtlessly nor hastily, but with all due deliberation, it is my opinion that, if a lasso were thrown around the first four hundred and seventy-six adults who might be met at any time upon the sidewalks of Northampton, or any other city, the amount of unhappiness drawn together in its coil would be as great as exists among the four hundred and seventy-six patients to-day, or the same number any other day, within the walls of this hospital.* I do not forget, but am most free to acknowledge, that the worst wards of a hospital of this kind present a sad spectacle, even to persons familiarized with it,— a very sad spectacle to any one to whom it is an unaccustomed sight. But this aspect is the consequence of mental impairment and bodily deterioration, and is no evidence of unhappiness on the part of the patients. The observer derives his judgment from his own feelings and emotions, not from the mental and moral condition of the persons around him, which, particularly if he be a casual visitor, he cannot accurately know. It is, indeed, true that among the inmates of a hospital one may hear more expressions indicative of unhappiness than among the same number of sane persons. The latter are like boilers in which the steam is repressed, subjected to control, and generally used only as dictated by prudence and good judgment; while the former, like the open, boiling pot, permit the generated steam to rise directly to the surface, in bubbles, and immediately pass away. There is a basis of truth for the old saying that the only difference between a sane and an insane man is that the latter speaks what he thinks, while the former does not. It is the same, let it be remembered, in regard to feeling and emotion. The insane permit them, untrammelled, at once to appear in expression: the sane reduce them to restraint and condemn them to concealment, either temporary or perpetual.

Among the classes of the insane of which the subjects most painfully and depressingly impress the inexperienced observer are the melancholiacs, some of whom are continually uttering expressions of self-condemnation for acts or "sins" of either commission or of omission, and not infrequently of both. In language, in tone of

*This was written in 1885, when the writer was still in charge of the State Lunatic Hospital at Northampton, Mass.

speech, in facial expression, and in general appearance, they sometimes seem to embody all that goes to make up the sum of the extreme of human mental wretchedness and suffering. And yet, with a no inconsiderable part of these, all this outside show of misery is simply habit, to which anything like real feeling is an utter stranger. No person could long survive the reality of their apparently intense suffering. But their health is not impaired by it. There are some who even thrive upon it. At meals they will stop their moanings and complaints and pay as ample a compliment as any one to palatable food. At night they will retire and sleep as soundly as the healthy but wearied laborer until morning. But, when the meal is finished and the morning comes, they rise only to return to their habitual utterances of apparent woe. I repeat that all this external show of sorrow is, in many instances, nothing more nor less than a morbid habit, which has become essentially automatic, and is no more the indication of actual and profound affliction than the word "eschec," uttered through a mechanical contrivance by Maelzel's celebrated chess-player, was the indication and evidence of an adequate intellectual comprehension, by that automaton, of the signification of what it uttered. It is from cases like these that the general character of the insane is too often judged.

It is a frequent remark that, to an insane person, his delusions are realities. This is undeniably true, so far as his mental impression of the subject, or object, of that delusion, and his belief in it, are concerned. But the effect of that delusion upon the conduct and the physical condition of him who has it is often far from being identical with that which must necessarily be produced, could that subjective delusion become an objective reality. The delusion, as a delusion, is a reality; but it has not the force of a substantive or absolute reality. No proposition in Euclid is more positively demonstrated than is this, by the cases just mentioned. The same holds good with another class, one of which is the subject of the following sketch.

A female now in the hospital* often tells visitors that she has millions and billions of children "up in the canopy," — an imaginary apartment of the house, — and that persons are constantly engaged in murdering them. This is with her a "fixed idea," a permanent delusion. It had possession of her at the time of her

* Since 1885, resident in a private family, being one of the first of those boarded out in Massachusetts.

admission in 1858, and probably some years before, as she was brought from another hospital. Yet this woman is always quiet and gentle, makes no outward show of grief or unhappiness, and never attempts to force or find her way into the presence of her imaginary children. She is a perfect pattern of industry, and has good judgment in her work. For twenty-seven years she has been the best ironer of starched linen in the laundry, and until recently has worked more hours in the year than any other person in the house. It is needless for me to attempt to depict the immediate effect, or the more remote consequences, upon any *sane* mother who had positive knowledge that her children were being murdered.

Even raving and destructive maniacs, how much soever their condition is to be deplored, are not in themselves generally unhappy, but, on the contrary, in many cases happier than in their normal condition. Their very violence is the reflex of a mental exaltation very similar to, if not identical with, that which is produced by intoxicating drinks, opium, and other narcotic drugs, and the nitrous oxide, or "laughing gas." * I was once very forcibly impressed by a remark of a patient who for many years was subject to paroxysms of the most violent mania, with intervals, sometimes long, of apparently perfect mental health. He had just come out of one of these paroxysms when I congratulated him upon his restoration. So far from sympathizing with me in gladness, he looked up, with a very sad expression of countenance, as he replied, "Ah, doctor, *that* is the happiest part of my life."

The insane themselves have no special relish for the idea that they are regarded as unhappy or "miserable." As a rule, they repel it. When in charge of the Bloomingdale Asylum in New York, I one day accompanied two ladies through some of the wards in the department for females. One of them met each patient with a cheerful smile, had a pleasant or agreeable remark for each, and, in short, carried herself throughout as if she were unconscious that she was not among the guests at a hotel. The other folded her arms, drew down the corners of her mouth, assumed the measured step of a procession, and walked straight forward, looking alternately to the right and to the left as she passed the patients, speaking to no one, but uttering, at intervals as formal and measured as her step, the expressive comment, "P-o-o-r t-h-i-n-g-s!

* Some forty years ago, a Parisian physician published a book, the object of which was to demonstrate the absolute identity of the mental condition in insanity and in dreams with the delirium produced by narcotics and that which precedes death caused by heat, by cold, and by deprivation of food.

p-o-o-r t-h-i-n-g-s!" with the solemn tone and continuity of the tolling of a funeral bell. She was little aware that most of the patients were as able as ever to recognize and appreciate her peculiar manner; and doubtless she would have been not only greatly surprised, but annoyed and mortified, could she have heard their comments and criticisms after she left.

In conversation with a gentleman who called at the Northampton Hospital, and who not infrequently has occasion to travel in some of the Western States, he informed me that upon one of his journeys he heard that no bald person becomes insane; and, as an illustrative proof of the fact, his informant asserted that in neither of the hospitals for the insane in Michigan was there a bald man or woman to be found among the patients. In reply, the gentleman was told that, howsoever it might be in the Peninsula State, it was very doubtful that the rule was one of universal or of general application. We would see if it was sustained by the testimony of the Northampton Hospital. We went through the wards, and took a census of twenty-seven patients who were largely bald, to say nothing of a considerable number who had made a beginning in that direction, one who wore a wig, and one who had only a slight fringe of hair, something like a lady's narrow, standing, quilled ruff, so situated that it might require a zoölogist or a barber to decide whether it belonged to the head or to the back of the neck. If Michigan wants some specimens of baldness, say forty or fifty, merely for the sake of novelty, Massachusetts will be happy to accommodate her.

It was reported about forty years ago that blind persons are never subject to attacks of insanity. Although then in possession of sufficient evidence of untruthfulness in the assertion, yet, as it was a point of some interest, I made it a subject of inquiry at a considerable number of German institutions which I soon afterward had occasion to visit. Several of them either then had or previously had patients who had lost their sight. In some instances, it was lost before the invasion of the mental disorder, in others afterward. Five blind persons, three of whom were men and two women, have been inmates of this hospital within the last twenty years. As at the German institutions, in some of the cases the blindness preceded the insanity, and in others followed it. It is not impossible that we may hereafter hear that deaf-mutes are exempt from the affliction of mental alienation. In order to forestall any public declaration to that effect, it may not be amiss to

state that two members of that defective class are inmates of this institution at the present time.*

Within the last two or three years, a paragraph has gone the rounds of the newspapers, assuring the public that the insane never shed tears until after the commencement of convalescence, and that weeping is a sure prognostic of recovery. I had never before either seen or heard of a suggestion of the kind; and it is certainly contrary to the results of my observation. There are certain classes of the insane, and among them those whose mental disorder or impairment is a consequence of paralysis, in whom the emotional nature is unnaturally sensitive. Some of these shed tears upon the most trivial occasions. Hence it is to be apprehended that the paragraph was written by some one who was not well informed upon the subject or who was willing to add one more fold to the veil of mystery through which the subject of insanity is generally regarded.

In an interview not long ago with an intelligent gentleman from one of the most populous cities of the Union, the conversation turned upon an institution for the insane within or near the limit of that city. After commending it for its excellence, the gentleman spoke of the well-merited popularity of its superintendent, and proceeded to relate the following anecdote as a proof of his remarkable shrewdness, presence of mind, and readiness of expedient in the management of the insane: "The superintendent," said he, "had occasion to go to the summit of a tower in company with one of his patients. While admiring the extensive and beautiful prospect spread before them, the patient, with much excitement, suddenly seized the superintendent by the arm, and pressed him toward the edge of the tower, exclaiming, 'Let's jump down, and thus immortalize ourselves!' The superintendent very coolly arrested the patient's attention, and replied: 'Jump down! Why, any fool can do that. Let's go down and jump up!' The proposition struck the fancy of the patient, and thus the two were saved from their impending peril."

My informant did not say whether they *did* jump or not, but left me upon that point wholly in the dark; and, lest his satisfaction should be marred, I refrained from telling him that the story, in its essentials, is much older than the superintendent whom he had made the hero of it; that it was current, to my certain knowledge, not less than sixty years ago, and then had the flavor of antiquity;

* In 1885.

that it undoubtedly is an old emigrant from England, and that, had it life and the power of speech, it might not unreasonably claim to have come over in the "Mayflower."

It is barely possible, but quite improbable, that the story had its origin in some actual occurrence of the kind. While superintendents are not habitually accustomed to take their excited or excitable patients to the dangerous height of towers, yet some one *might* have taken an unexcitable one to such a place; and, as many a sane person on the brink of a precipice has felt an impulse to leap from it, and as there is reason for the belief that even the calmest and least excitable insane man would be somewhat more liable to that impulse than one who is not insane, it is not beyond the limits of possibility that the tale is not wholly fictitious. It has a little, though not much, greater claim upon the credulity of mankind than that other antique specimen of the history of gymnastics,— the tale of "the cow that jumped over the moon."

Whether the writer of the following account expected or intended it to be believed or not, there is no possible means of deciding; but it is nevertheless very certain that it has been published as truth: —

"A gentleman accompanying a party to inspect an asylum chanced to be left behind in the kitchen, with a number of the inmates who acted as cooks and scullions to the establishment. There was a huge caldron of boiling water on the fire, into which the madmen declared they must put him in order to boil him for broth. They would fain have assisted him into the large pot; and, as they were laying hold of him, he reflected that, in a personal struggle, he would have no chance with them. All he could do was to gain time: so he said, 'Very well, gentlemen: I am sure I should make good broth, if you do not spoil it by boiling my clothes with it.' 'Take off your clothes!' they cried out; and he began to take off his clothes very slowly, crying out loudly the while: 'Now, gentlemen, my coat is off,— I shall soon be stripped. There goes my waistcoat, I shall soon be ready,'— and so on, till nothing remained but his shirt. Fortunately, the keeper, attracted by his loud speaking, hurried in just in time to save him."

To a person familiar with the inner life of an institution for the insane, this morsel of pretended history is so permeated and invested by improbabilities that the idea of its truthfulness appears to be not only perfectly absurd, but supremely ridiculous. The insane are not cannibals, even to the extent of the quality of their

broth; and the medical officers of a hospital are to be credited with at least a sufficient knowledge of their patients to know, so far as can be known, whom among them can be safely trusted in performance of the work of the kitchen. They would be very unlikely to send to that work even one patient whose disease might instigate him to criminal acts, and much less a whole group of them; and if by possibility one should be sent, and should attempt any outrage or violent act, all the others would lend their assistance in opposing and securing him.

The insane form no cabals, no extensive conspiracies. They have no confidence one in another. One patient of vigorous native intellect and a strong will may, indeed, make a dupe, a tool, or a cat's-paw of another who is less liberally endowed by nature. This is sometimes done within the walls of an asylum for the insane, as it not infrequently is in the outside world; but the concerted action, for evil, of several patients, is a thing comparatively, if not absolutely, unknown. Practical jokes are likewise sometimes perpetrated by inmates of the institution mentioned; and it is far less difficult to believe the story on the supposition that this was one of them than upon any other hypothesis whatsoever. At one of the largest of American hospitals, it was formerly customary, on certain days in the week, to show visitors through the two or three halls for either sex. Among the patients, in one of the halls for females, there was a lady of brilliant intellect and large attainments, the wife of a man of wealth and eminence. She was a shrewd and acute observer, had learned much of human nature, and liked a little fun withal. She knew, or thought she knew, that, of every fifty visitors who passed through the hall, not less than forty-nine were stimulated thereto by motives no higher than those which actuate the man who goes to the menagerie to "see the lion dance" or who attends the circus to witness the antics of the clown. She thought it a pity that their curiosity should not be measurably gratified, and so she established a series of entertainments for their special benefit and her own particular enjoyment. Upon the entrance of a group of visitors she would go through a medley of eccentric and grotesque dancing, gesticulation, and speech, and wind up by sidling up to one of the company, begging a cent, and folding, with both hands, the front part of the skirt of her dress into a temporary pocket, or contribution-box, for its reception. The visitors were highly gratified. Their visit had not been made in vain. They doubtless went

away with a memory for a lifetime, little dreaming how completely — to use a common but expressive term — they had been "sold."

From what has here been written, it may correctly be inferred that writers who, with only that extent of information upon the subject which generally prevails, attempt to delineate the peculiarities of the insane, either by description or by the language and conduct of fictitious characters, as surely betray their ignorance as they would if writing upon any other subject without sufficient knowledge. They run more or less into the extremes of extravagance, exaggeration, and caricature. Engaged upon a somewhat mysterious subject, which may easily be treated sensationally, they appear to think that, to be truthful, they must be sensational. Doubtless, they are sometimes purposely so, with the intent of producing an effect by appealing to the love of the marvellous in their readers.

The reporter of a newspaper once visited the Northampton Hospital, went through the departments for patients, and was furnished with all requested information in relation to the institution. Not many days afterwards he published a long account of his visit, in the journal with which he was connected. In his description of the place, he was very accurate; but when he came to the indications, characteristics, and manifestations of insanity, even as he was supposed to have seen them, he was evidently in water of unaccustomed depth, and floundered to such an extent that some of the patients themselves detected his awkwardness. A bright, well-educated, intelligent, and intellectually acute patient in the female department read the article, and was greatly incensed at its incongruities and inaccuracies. It gave her the text for a discourse the like of which the reporter had never heard, in college or in public hall of any kind. It partook, perhaps, of the qualities of a sermon, a lecture, and a justice's charge; but, by a usurpation of the province of a jury, it was brought to a close with the energetic announcement of the verdict: "The little puppy! He ought to be horsewhipped."

Nor are even the responsible writers for the public journals always unwilling to cater to the popular idea of insanity and the insane. Within the last twenty years, the editor of one of the newspapers of Western Massachusetts published an elaborate and detailed article in relation to this hospital, drawn largely from his personal observation. In this case, as in that of the reporter, the descriptive part was scrupulously truthful, and the same may be

said of its narrative. But, as if this wholesome dish might not prove sufficiently palatable to the partakers of his intellectual feast, he must needs throw in the spice of a paragraph of highly wrought untruth. Of five other Massachusetts newspapers which at that time regularly came to the office of the superintendent, no less than three quoted from our editor's article. Every one of them extracted the whole of the untruthful paragraph. Not one of them took even a line or a fact from that which was true.

III. PAPERS OF THE SOCIAL ECONOMY DEPARTMENT.

1. REPORT ON CO-OPERATIVE BUILDING AND LOAN ASSOCIATIONS.

COMPILED BY F. B. SANBORN, GENERAL SECRETARY.

(Read Friday, September 6.)

Those peculiar organizations known by various names, and now seeking to accomplish some things inconsistent with their original design,— the Building and Loan Associations, or Co-operative Banks,— were never increasing faster in the country, on the whole, than now. A year ago, we estimated their number at 3,500, but this was evidently below the mark. In December last, while editing the report of last year, I said (*Journal of Social Science*, No. 25, p. 138): "My latest estimate would be 4,000; but at least one or two associations are formed every week-day at present in the whole area of the country, so that 5,000 will soon be the number." I suppose, in fact, that there are now not less than 4,500 of these co-operative banks in the United States, of which there are in

All New England,	120
New York,	350
New Jersey,	200
Pennsylvania,	950
Delaware and Maryland,	225
Ohio,	750
Indiana,	200
Illinois,	500
Wisconsin,	45
Michigan,	60
Minnesota,	150
Iowa and Nebraska,	150
Missouri,	100
Kansas,	130
Kentucky,	100
Tennessee and the South-west,	300
Southern Atlantic States,	100
California and the North-west,	150
Total,	4,580

The increase from year to year is very unequal in different parts of the country. Thus, in New England, where there were a year ago only 90 co-operative banks, there are now 120, a gain of 33 per cent. Yet in Pennsylvania, where these associations have existed for more than 50 years, the number appears to be no greater now than it was last year. But we have from the Bureau of Industrial Statistics in Pennsylvania some recent information concerning these organizations in that State which may be cited. Mr. Albert Bolles, Chief of the Pennsylvania Bureau, says: —

Out of, perhaps, quite 1,000 building and loan associations in the State of Pennsylvania, we have collected, mostly by personal visits to the homes of the secretaries and meeting rooms of these associations, the yearly financial statements of 337 associations. The reports, whose statements have been carefully analyzed, show:

Total number of shares,	459,082
Shares pledged for loans,	126,234¼
Cash receipts for one year,	$11,739,011.54
Cash expenditures for one year,	11,089,821.62
Cash on hand at end of fiscal year,	649,219.92
Paid stockholders, withdrawals, and matured stock,	3,458,967.13
Current expenses, one year,	115,926.51
Total assets,	28,348,871.17
Total gains,	5,940,653.60
Membership, estimated,	73,437

Mr. Bolles then proceeds to extend this information by estimate and average, so as to cover not only the 1,000 associations in Pennsylvania, but the 4,000 estimated by me as existing in the whole United States at the beginning of 1889. These 4,000 associations or co-operative banks, he thinks, have, in the aggregate, as follows: —

Shares,	5,450,000
Members,	872,000
Borrowers,	272,000
Borrowed shares,	1,496,000
Assets,	$336,485,680.00
Receipts, one year,	137,323,934.00
Disbursements,	131,629,930.20
Cash on hand,	7,694,004.80
Withdrawals and matured shares,	41,055,984.64
Expenses,	1,375,960.00
Gains,	70,512,200.00

It is probable that this estimate of Mr. Bolles, at the beginning of 1889, was below rather than above the mark, although the Pennsylvania associations, having been longest in existence, have perhaps greater assets than those newly organized, of which there

are not less than one thousand, among the four thousand included in the above estimate. A good authority on such topics gives this account of the progress of the Building Associations in Pennsylvania, since they began at Oxford, a suburb of Philadelphia. He says: —

The associations here described had their origin in Philadelphia, where the earliest one was organized in January, 1831. The majority of those formed at first were unincorporated. A few of them were organized under special acts. A general act authorizing their incorporation was passed in 1850. At first the number of shares was limited, but in 1874 this limit was removed, with the proviso that the aggregate capital of an association should not exceed $1,000,000. It was estimated by the Secretary of Internal Affairs of Pennsylvania in 1879–80 that the associations in Philadelphia had been the means of making eighty thousand people owners of real estate.

A more recent writer tells the story of the co-operative banks in Ohio, where they exceed in number those of any State except Pennsylvania. Mr. H. A. Ratterman, of Cincinnati, thus writes: * —

These organizations represent taxable values; but who must, according to the interpretation of the laws, pay these taxes,—the association or its members individually? If the former, the additional question arises at once, What is the taxable property belonging to such organization? These questions agitated the public authorities of Hamilton County (Ohio) and the members and officers of building associations, which were operating in that county as early as 1868, and several years thereafter. The first building association of Cincinnati was organized July 8, 1866; in March, 1868, another; and, from June 4 to Oct. 27, 1868, nine more societies ventured into existence; fifteen in 1869, two in 1870, and four in 1871. They were not kept in secrecy: on the contrary, numerous advertisements, especially in the German newspapers (the first twenty or more of these associations were all German), brought them to the notice of the general public. Presently, mortgages were put upon the records of the county, the defeasance values of which ran up into the hundred thousands. This attracted the attention of the tax-officers to the associations. In the autumn of 1868, the auditor of Hamilton County cited several officers of the building associations to appear before him, and to list the value of their mortgages for taxation. This was complied with on the part of the First German Building Association of Cincinnati, the other officers putting in the plea that, not being in operation on the day fixed by law for the tax enlistment,— *i.e.*, the day preceding the second Monday in April,— they could not

* Cincinnati *Co-operative News*, Jan. 16, 1890.

be compelled to list until the spring of the year 1869, which plea was held good, and they were thereupon discharged from listing. The first named society, then, in December of that year paid the assessed taxes ($339.07) under protest.

During the winter of 1868–69, meetings were held by the officers of the various associations; but the diversity of opinions expressed was so great that nothing could be accomplished. The tax-lists served upon the various organizations by the assessors in the spring of 1869 were generally left unnoticed. However, in the autumn of that year, the auditor again issued citations to the officers, who, after holding consultations in a series of meetings called for that purpose, made returns, showing that they had no other taxable values, excepting the limited amounts of cash balances in the hands of their treasurers, probably a safe, and, in some instances, a little furniture and fixtures of nominal values. These returns the auditor refused to accept. He, however, in that year made no further attempts to molest them. But, when the assessors' tax-notices in the spring of the year 1870 again remained unanswered, the auditor once more issued citations to the various societies in October, 1870, who replied in the same manner as the preceding year.

In February, 1871, the city treasurer sued for a rule (with the power of a judgment) against the several building associations of Cincinnati, for the payment and penalties of the city taxes. This brought about the organization of a union of the societies under the name of "United Building Associations of Hamilton County, Ohio," which was effected on Saturday, Feb. 25, 1871, by electing H. A. Rattermann president and Adolph Sommer secretary. It was also voted that an executive committee should be elected, with full power to act or to call general meetings at their discretion. This committee were Messrs. Rattermann, Carberry, Schaaf, Austing, Keck, Schuster, and Cross; and they were allowed to have power to levy assessments on the various societies, in proportion to the number and value of their shares, for the purpose of defraying expenditures. The executive committee had its first meeting on Feb. 26, 1871, and organized by electing J. P. Carberry chairman, H. A. Rattermann secretary, and Oswald Schaaf treasurer. Messrs. Stallo and Kittredge were engaged as attorneys, the former having since been United States Minister to Italy.

Mr. Rattermann goes on to show how the Executive Committee, with their counsel, defeated the purpose of the city authorities to tax the mortgages of the Hamilton County Co-operative Banks, to an amount estimated at $265,000, and then adds: —

The Executive Committee held their final meeting Oct. 14, 1878, after the last of the associations, from whom they held their mandates, had become extinct. As no report of the committee

has ever been published exhibiting their doings, it may, even at this late day, be of general interest. The secretary's report shows the following receipts and disbursements: —

From two assessments, of 30 cents each per share of $448,		$5,285.30
Interest on United States Bonds,		376.81
Premium on bonds sold,		401.75
Total receipts,		$6,063.86
Paid attorneys' fees,	$4,500.00	
Notarial services,	329.40	
Expenses of 1869,	89.50	
Assessment of one candidate for the constitutional convention,	100.00	
For printing and advertising,	108.60	
For postage and letter-carrying,	13.21	
For premium on bonds bought,	428.00	
		5,568.71

The Building Associations in Hamilton County have not been vexed with the tax question since 1878; and the principle that the mortgages held by them are not a value, but a security for the performance of membership duties only, has been successful through a united effort of the associations.

I have cited this account, with its details, in order to show by the example of one State how the legal difficulties attending the beginning of such an enterprise were met and overcome. The example of the Cincinnati associations in forming a league for protection and for influence upon public opinion, the legislature, and the Constitutional Convention of Ohio, has been followed since in many other States; but this was probably the first instance of such a union, or league. Its success has given the Building Associations of Ohio great prosperity; and one of them, the Mutual Home and Savings Association of Dayton, is said to be the largest in the United States. The estimated membership in Pennsylvania of her 1,000 associations is 218,000, with an invested capital of more than $85,000,000. Ohio, with her 750 associations, has an estimated investment of $75,000,000. Illinois claims 482 associations, with an investment of $36,000,000. New York has about 350 associations, with an estimated investment of $20,000,000. New Jersey has 200 associations, with an invested capital of about $14,000,000. Indiana claims to have 400 associations, with an invested capital of $10,000,000; Iowa, 100 associations, with an invested capital of $8,000,000; Missouri, 200 associations, with resources approximating $15,600,000. California has 60 associations, with assets of $5,000,000. Kansas claims 100 associations,

with an investment of $3,000,000; Wisconsin, 65 associations, with assets of $1,500,000. Massachusetts needs but few more to bring her number of co-operative banks up to 100.

The rapid growth of these organizations has stimulated many speculative movements, one of the most active of which is the creation of the so-called "national" associations, which, instead of confining themselves to a single city, extend their membership and their loans over several States, and aspire to include the whole country. They are banking institutions, and, if well managed, will have the usual success of banks; but they have none of the peculiar safeguards of the small and local co-operative banks. They have lately organized a League of *General* Building and Loan Associations, the separate members of which, at last accounts, were the following companies: —

The National Building Loan and Protective Union, of Minneapolis.
The American Building and Loan Association, of Minneapolis.
The International Building Loan and Investment Union, of Chicago.
The National Savings Loan and Building Company, of St. Paul.
The Railway Building and Loan Association, of Minneapolis.
The American Savings Loan and Investment Society, of Chicago.
The Interstate Building and Loan Association, of Bloomington, Ill.
The Illinois Building and Loan Association, of Bloomington, Ill.
The Building and Loan Association of Dakota (Aberdeen, S.D.).
The National Mutual Building and Loan Association, of New York.
The Guaranty Building and Loan Association, of Minneapolis.
The Interstate Building and Loan Association, of Minneapolis.
The Security Building and Loan Association, of Minneapolis.
The Interstate Building and Loan Association, of Columbus, Ga.
The United States Savings Loan and Building Company, of St. Paul.

It will be noticed that, of these fifteen investment companies, more than half are in the two cities of St. Paul and Minneapolis, and four are in two cities of Illinois. They are, in fact, real estate investment companies; and their object is to collect capital, from the East, if possible, and invest it in the newer States of the Northwest or in growing communities at the South. To this there is no objection, except that it is a business proverbially risky, and very unlike the small and domestic scale upon which the co-operative banks ought to proceed. On this point, Mr. F. A. Richards, bank examiner in Maine, well says: —

The key to the almost uniform success of building and loan associations is found in the intimate relations which they hold to shareholders, and especially to borrowers. Not only do they make it possible for persons having but small incomes to build homes for themselves, by loaning money on unfinished property as the money is needed to advance the work, repaying in small instalments, but they exercise a scrupulous supervision over the interests of the borrower. The condition and situation of his property, the plans of the architect, the estimates, the character of the contractor, the building material, the work of the builder,— all are carefully inspected by competent judges and subject to their approval. The building and loan association thus forms a supervisory board whose assistance to the borrower is invaluable.

There can be nothing, or very little, of this supervision in the great "general" building associations; nor can their affairs be so strictly supervised in other respects. The more cautious experts, therefore, like Judge Dexter of Elmira and Mr. Southard of New York, pronounce against them. There are those, however, who object to the use of the term "building" in connection with the co-operative banks; and a correspondent in Rochester, N.Y., writes me as follows:—

There are in the neighborhood of a hundred — not half a dozen more or less — *savings and loan* associations (called, for short, loan associations) in Rochester, to two of which I have belonged for a long time past; and there are several *building lot* associations and *land* associations, which, however, are nothing more than combinations of individuals for the purchase of land in a large tract and its sale by lots, so that, as you see, they have nothing whatever in common with the "building associations" of Philadelphia. Our loan associations are equally far removed from that complex system; and they are sufficiently complicated as it is (no two of them, perhaps, being exactly alike), without adding the unnecessary entanglement of a building department, in which I can see no possible advantage to either party. When we sell shares of money to an individual, we take a mortgage upon a sufficient amount of real estate (unless he borrows upon "free" shares of stock already owned by him), and no one except the Committee of Appraisal cares whether his house is old or new or about to be built, or whether there is no intention on his part ever to build a house. Oftentimes, to be sure, the money is doled out to him as the house progresses, and the increased security warrants additional instalments; but the man himself builds the house: the association does not build it for him in any sense of the term, and ours is no more a "building" association than it is a horse-race association or a base-ball association.

All our associations, with one or two insignificant exceptions, have been successful. Of course, the dividends of all except the new ones have dropped to twelve or ten per cent.; but none of them are going out of business, and the few which were not originally "permanent" have become so. In the early part of this year (1889), a statement was prepared of the money loaned on mortgages by our four Rochester savings-banks and by the loan associations which may interest you. *In 1886*, the banks made 384 loans, aggregating $1,505,072.67; the associations, 756 loans, aggregating $970,808.80,— excess in favor of the banks, $534,263.87. *In 1887*, the banks made 581 loans, aggregating $1,479,648; associations, 1,254 loans, aggregating $1,795,384.70,— excess in favor of associations, $315,736.70. *In 1888*, the banks made 328 loans, aggregating $737,440; associations, 1,581 loans, aggregating $2,126,314.10,— excess in favor of associations, $1,388,874.10. Of course, the above has nothing to do with bank mortgages made *before 1886*, and still held by them, which amount to $10,000,000 or more.

The figures just given show that in some cities the new loan associations, or co-operative banks, are gaining upon and supplanting, to some extent, the old savings-banks. Perhaps this may lead the latter to establish a system of loaning to their own depositors more generally, and upon more favorable terms than they now do.

As our committee had occasion to say a year ago, the general safety of our American building associations during the half-century they have existed is well known. No serious disaster has overtaken most of those who invested in them; and this, mainly because they were small, were carefully looked after by the investors, and did not venture into large operations. But their success has led, recently, to the formation of so-called "national" building associations, which are exposed to peculiar risk. It is to be hoped that the local building associations will maintain themselves against these intruders into their proper field, and that the noble system of Co-operative Banking will not be wounded in the house of its professed friends.

2. PRACTICAL MEASURES OF SOCIALISM IN ENGLAND.

BY MR. PERCIVAL CHUBB, OF LONDON.

(Read September 6.)

In spite of all the fashionable writing and talking about Socialism, such false and imperfect notions of what it means are still at large, that I shall venture to preface what I have to say about the practical aims of its English advocates by a short exposition of its theory and purpose.

Socialism professes to find a clew to, and a cure for, the poverty which is almost everywhere the distressing accompaniment of modern civilization. It is but a few years back that Christendom, relying on that misunderstood saying of its founder, "The poor ye have always with you," accepted poverty as a divine necessity,— a discipline for the poor and a field of charity for the rich. Even now it is quite commonly believed that poverty, while it may be mitigated, and perhaps effectually relieved, by organized charity,— *i.e.*, charity officialized and administered with a minimum of compassion,— can never be wholly abolished. But society has from time to time been startled out of its complacent toleration of poverty by reformers who preached a seeming way of escape from it; and now Socialism, professing to base itself on science and history, affirms that poverty is a perfectly explicable disease of the social body, a disease which has its chief cause in irrational and iniquitous social laws and institutions, and is to be cured through the application of a modicum of justice, reason, and good-will to the diseased body.

That this conclusion has not sooner been arrived at must be ascribed to men's ignorance of the real condition of things. No reasonable person can face the array of statistics now available as to the facts of social life without coming to the conclusion that there is some fundamental flaw in our social system. He can hardly study those statistics thoroughly and disinterestedly without gaining some insight into the causes of the evils, and the direction in which a remedy must be sought.

Let us look for a moment at a few of the more salient facts which recent inquiry has brought to light. They shall be facts of the life of London, where I myself have lived:—

One out of four of the whole population is computed to be earning — and that irregularly — not more than a guinea a week *per family;* and over a third of these are receiving much less, and, says Mr. Booth, "live in a state of chronic want" (p. 33 of "Life and Labor in East London"). This corresponds to the proportion indicated by the statistics of mortality. In London one person in every five will die in the workhouse, hospital, or lunatic asylum. In 1887, out of 82,545 deaths in London, 43,507 being over twenty, 9,399 were in workhouses, 7,201 in hospitals, and 400 in lunatic asylums, or altogether 17,000 in public institutions (Registrar-General's Report, 1888, C.— 5, 138, pp. 2 and 73). Considering that comparatively few of these are children, it is probable that one in every three London adults will be driven into these refuges to die; and the proportion in the case of the manual labor class must, of course, be much greater. One in eleven of the whole metropolitan population is driven to accept Poor Law relief during any one year (see p. 20), and that notwithstanding the existence of organized metropolitan charities estimated to disburse over £4,000,000 annually (Encyclopædia Britannica, vol. xiv. p. 833), and that in Middlesex and Surrey there were in 1888 1,152,189 Post-office Savings Bank accounts open, with an aggregate balance of £15,410,541 (H.C. 177 of 1889). In spite of all, 29 deaths were referred, in 1888, to direct and obvious starvation (H.C. Return, No. 136, 1889).*

It has been found that "the average age at death among the nobility, gentry, and professional classes in England and Wales was 55 years; but among the artisan class of Lambeth it only amounted to 29 years; and, while the infantile death-rate among the well-to-do classes was such that only 8 children died in the first year of life, out of 100 born, as many as 30 per cent. succumbed at that age among the children of the poor in some districts of our large cities." It has been computed that from thirty to thirty-five thousand children often go daily to school without breakfast, not to speak of those who have been only scantily fed. On an average, from twenty to twenty-five thousand dock laborers compete, which means physically struggle, for employment at the dock gates for work at 4*d.* (8 cents) per hour,† and that one-third of them struggle in vain. These facts clearly show

* From "Facts for Londoners," an exhaustive collection of statistical and other facts relating to the metropolis, published by the Fabian Society, 63 Fleet Street, London. Price 6*d.*

† This was written before the great strike had secured an advance in the rate of pay, which is still shamefully low.

that our social system — if such a chaos of competition can be called a system — excludes a large fraction of the population from the opportunities of earning a livelihood altogether, and compels another large fraction to work at mere starvation wages; that it shortens the life of this large fraction, and sends them to die in workhouses and hospitals; half starves, and often more than half starves, their children, so that they are incapable of receiving even an elementary education.

What is the explanation of this lack of employment, this low rate of payment, this murderous poverty, breeding disease, suffering, and crime? We get a little light thrown on the question when we reflect upon another leading fact of our social life; namely, that out of the total annual income of the English nation, estimated at £1250 millions, 450 millions (more than a third) go in rent and interest to the owners of land and capital. This is as much as the whole income of the manual laborers of the country, although these represent about five-sevenths of the population. It appears, then, that out of the total annual income a small class are able by some means or other to appropriate more than a third. How do they manage to do it? The appropriation, I have said, is made in the form of rent and interest. Rent is payment to the owners of land for the use of that land. Interest is payment to the owners of capital for the use of that capital. These two things, land and capital, being absolutely necessary to life and comfort, the small minority who monopolize them can, and do, extort a toll from the non-possessing majority for their use. These proletarians, competing with one another for places, under the fear of starvation, are driven to accept the lowest possible wages, and their productions are sold for the highest obtainable price.

Here, then, says Socialism, is the economic root of the evil of poverty,— the monopoly by a small class of the means of life; namely, the material and the instruments essential to the production of wealth. This carries with it three great injustices: the exaction, from those who labor to produce wealth, of part of the fruits of their exertion (more than one-third, as I have said); the exclusion of many from opportunities of working; and the existence of an idle, rich, luxurious class. It implies, too, a great class antagonism, due to the effort of the monopolists to extract all they can from the disinherited; to take every advantage of the latter's disadvantages, so intensifying the struggle for daily bread.

There are other evils inseparable from these, other inequalities generated by this fundamental inequality, which are further proofs of its vicious character; but I must not stop to speak of these now.

The economic cure which Socialism prescribes is the abolition of this monopoly of land and capital by vesting them in the nation, to be used for the public good instead of for private gain, and the consequent appropriation of rent and interest by the people for public instead of private enjoyment. This necessarily involves the organization of industry by the State; the systematized co-operative production of the necessaries of life to meet ascertained needs, avoiding waste and disastrous crises; the enrolment of every capable citizen as a worker, abolishing idleness on the one hand and long and laborious toil on the other; and the just distribution among the workers of the fruits of their exertion.

The strength of the position thus taken by Socialism lies in the fact that it advocates a solution for which the present economic development of society is preparing the way, and indeed will in time render inevitable. Industry is becoming more and more concentrated in large establishments, which are exterminating their smaller antagonists. Through the perfection of machinery and more minute division of labor, production is becoming more and more socialized,— a co-operation of workers constantly increasing in magnitude and complexity. And again, through the combination of productive concerns in trusts and syndicates, the distributive machinery is becoming more and more adequate to the needs of consumption. In time, it certainly must become clear that it is just and expedient that these productive concerns should be worked for the public good instead of for private aggrandizement. The transfer from private to public hands is being made easier every day.

So much, in brief, for the economic meaning of Socialism. Politically, it means the realization of a true democracy based on complete civil equality, "a government of the people, by the people, for the people," to use an admirable historic phrase. It does not contemplate a huge, highly centralized organization of society, but such a confederation of free autonomous communities as will allow for the fullest mutual development of individuality in communal and personal life.

Ethically considered, Socialism is the effort to give effect to the principles of social morality, theoretically acknowledged by every professed follower of Jesus of Nazareth, that we should love our

neighbor as ourselves, and do unto others as we would that they should do unto us; that the strong should bear the infirmities of the weak (and not strive to profit by these infirmities, which is the law of competition); and that the measure of human worth is service, and not possessions. The basis of Socialist ethics is none other than the principle implied in the Golden Rule and stated in another form by Paul, that we are members one of another, so that an injury or injustice done to one is an injury or injustice done to the whole. Socialism affirms, along with the great teachers of all time, that the good of the individual is conditioned by and involved in the good of the society of which he is a member; and therefore that, in order that society may secure the highest good to the individuals composing it, each individual must live for the highest good of society. In this principle, it gains at once the guide of conduct and the inspiration of life. Living by it, a man finds himself lifted above the narrow limits of his private concerns, to share in the larger life and wider interests of humanity. From this standpoint, the struggle for personal possessions seems paltry and foolish, and only that common good, which is a brotherly co-operation for living a full and deep and beneficent life, worthy of pursuit.

Now, Socialism as a principle of social reconstruction and an ideal of social progress must be the same for all peoples; but it is clear that, as the political and social conditions of nations vary considerably, they cannot realize the ideal by identical methods of transition. This, at least, is the opinion to which most Socialists in England have been won. In the early stages of the movement it was believed with a fanatical ardor that the change from the old to the new social order might be effected by a sudden and simultaneous uprising of the workers of all the nations. This belief still survives, more especially on the continent of Europe. In England, the view now rather prevails that, while the rich may force the poor to revolutionary measures, the chief obstacle to the adoption of Socialism is not, as it is on the continent, the oppression of a despotic power, which forbids free speech and propaganda, but the ignorance, prejudice, and inertia of the people. True, these are sad shortcomings, for which the inhumanity of society must be blamed; but they are facts which must be faced frankly. The conviction is also gaining ground that to make such a vast change as that from the *régime* of competition, class distinction, and individualism in morals to the *régime* of co-opera-

tion, equality, and social ethics, suddenly, is a moral and an economic impossibility; and that the effort to do so would be made in the face of the teaching of history and philosophy. English Socialists, or the great majority of them, have therefore taken to formulating a scheme of transitional measures, designed to lead as speedily as possible to the consummation of their aims, the foundation of a co-operative commonwealth. They have, accordingly, while continuing their purely educational work, entered the sphere of political action with the object of forcing their own stepping-stone measures. Such success has attended their early efforts that there can be little doubt that it is along these lines that the Socialist movement will advance in the future.

It would, however, be unfair to ignore the significance and influence of the comparatively small body of avowedly revolutionary Socialists who discountenance and hold aloof from the endeavor to gain Socialism by instalments through political agencies. This section of believers in the possibility of a sudden transformation still hopes to educate and organize the proletariat of Europe for a great revolt. It derives much of its present importance from the fact that it is headed by a man of genius in the person of William Morris,— poet, artist, and agitator,— who has nobly dedicated his splendid gifts to the cause of Socialism. Allied to this section is one wing of the Anarchist party in England, which also gains a weight disproportionate to the small number of its adherents from its having as chief spokesman that self-sacrificing and learned Russian, Peter Krapotkine. These men, and others of kindred temperament, are really the idealists of the Socialist movement. They are consequently an invaluable element in it. It is they who help to keep it from falling away from its finer faith and higher purpose, and from losing itself in the machinery of politics and the animosities of party strife. As it seems to be the inevitable tendency of political parties to run into the mire of intrigue, mean artifice, and unworthy compromise, an influence which will aid Socialism in its political activity to preserve a pure heart and clean hands is an influence to be thankful for.

Having cleared the ground somewhat by explaining the theory of Socialism and the political attitude of its English advocates, I may now proceed to expound their practical programme. For clearness' sake, I will venture to state again in succinct form the economic aim of Socialism: it is to substitute for the present *régime* of competitive industry for private profit, based on the

private ownership of land and capital, a *régime* of co-operative industry for the public benefit, based on the State ownership and administration of land and capital (*not*, be it observed, of all private property). This, as I have already remarked, means the appropriation for public purposes of the rent and interest paid for the use of land and capital, which now finds its way into private purses. It follows that, if the whole of this rent and interest were diverted by taxation into the public purse, there would be no further reason for the private direction of industry. So that the final result aimed at by Socialism will be equally effected by these two convergent methods,— *i.e.*, the gradual assumption of industrial functions by the State, and the gradual public appropriation by taxation of rent and interest. But these do not exhaust the methods of Socialism. Not only will it work for the gradual State, municipal, and township organization of labor, but also for the most rigorous State control of private industry and enterprise for the protection of the worker in his unequal struggle with capital, and in the interests of the public weal. This is at once just, and is needed to place the worker in that position of efficiency and independence which is a condition of his well-being and of political and social advance. This is the direction in which legislation has done most for Socialism in the past; and, as continuing a well-established precedent, it is this class of legislative interference which, though it is not most important, should stand first in the category of Socialist methods. Lastly, with the same end of advancing the interests of the workers,— who are, let it be remembered, the overwhelming majority of the nation, — Socialism will strive for the improvement in all possible ways of the condition and opportunities of the people: by their better housing, by providing against want during compulsory idleness (by affording work), during sickness, and in old age, and by the multiplication of the chances of education and healthy recreation.

Here let me forestall two objections often made against the Socialist position. The first refers to the debilitating effect of State interference and State management. Nothing could be more alien to the democratic object and spirit of Socialism than the paternalism so often ascribed to it. Socialism does not propose that anything should be done by a power outside or above the people. By the State, it means the people in their corporate capacity; and, by State action or State control, it means action by the people and control by the people of their own affairs, in-

stead of such control and action by a despot, a cabinet, or a class. (The ascendency of the majority is of course inevitable: there can be no State and no industrial organization without it.) It is the endeavor of Socialism to generate in every man a sense of his representative character and of his civic obligations and privileges.

The second objection I wish to notice is that Socialism is unjust in taking from the rich to benefit the poor; is, in fact, a form of charity,— compulsory charity. This is an objection which will be seen to be irrelevant, if what I have already said has been understood. In the view of Socialism, the taxation of land and capital, by which the State revenues for the accomplishment of its designs are to be raised, is simply a means of restoring for public uses the rent and interest which are unjustly withheld from the people and should be employed for public purposes. It is important to bear this in mind.

I have sketched the four kinds of legislative reform by which Socialism in England hopes to work out its ends. They are, to enumerate them briefly for convenience' sake: —

1. The control of private industry and enterprise.
2. The gradual absorption of industry by the State.
3. The progressive taxation of rent and interest (*i.e.*, of land and large incomes).
4. The improvement of the conditions and opportunites of the people.

The first point to be noticed in connection with these legislative aims is that in advocating them Socialists are advocating nothing new, and are not proposing to initiate any novel departure in politics. The strength of the position assumed by Socialism in this matter lies in the fact that it is working along the lines of development which politics have taken ever since the beginning of the century,— taken, not in obedience to any well-defined theory such as Socialism claims to be, but often in actual contradiction to the dominant theory, simply because there was practically no other way of coping with the evils of the time. Socialism, as you will have gathered, aims to carry the extension of legislation along these lines so far as to alter the economic basis of social life. Its affirmation is that the need of such legislation in the past is a proof that the economic or property basis of our social *régime* is unscientific and mischievous. The assumption of the champions of *laissez-faire* was that competition, with the private ownership of land and capital, would find its own adjustments, and that the

self-interest on which it was based would educe its own checks and insure social well-being. This assumption cannot stand the test of economic analysis. Early in the century, it was found that the State, unless it were to become a party to the wholesale degradation and even murder of men, women, and young children, could not "let alone," but had to put a stop — to be sure, even yet, a very partial stop — to the ruinous tyranny of competitive commerce. And we have accordingly had in England an extensive series of protective measures.

According to one school of reformers, of whom Mr. Henry George is the distinguished leader, the mischief is due entirely to the private ownership of land. These new individualists uphold the private ownership of capital and, with a few exceptions, free competition. But Socialism fails to see any valid and essential distinction between land (which often embodies a great deal of capital) and capital. It maintains that the monopoly of capital — which, equally with land, no single man made, and is, under modern conditions, as indispensable as land for human welfare — is also an inevitable source of human bondage. It affirms that it is unjust and illogical to tax the rent of land and leave untaxed interest on capital, which, like the rent of land, is a toll levied on labor by monopolists of what is largely a social product and is indispensable to life. In any case, it denies the right of any person, by any monopoly whatever, to withhold from labor any part of the fruits of its exertion and to live in idleness on interest, supported by the labor of others.

This, however, is a digression. I will now deal *seriatim* with each of the four species of legislation which I have enumerated, indicating briefly what progress has been made in each instance, and then stating the fresh extensions which, as Socialists believe, should be immediately demanded.

1. Under the head of legislation insuring the State control of private industry and enterprise for the protection of the workers and the public, we have first the series of Acts passed from 1802 onwards, which regulate the employment of men, women, and children in factories, workshops, and mines. Under this category are to be included several Acts passed in recent years (after the cessation of such legislation during a period when reactionary individualist doctrines held sway),— Acts like the Employer's Liability Act, protecting employees against accidents due to the negligence or fault of the employers; the Mines Regulation Acts, protecting

miners against accidents in mines and abuses of employers' powers; the Truck Act, providing for the honest payment of wages. Besides Acts of this kind, we have a series of Acts for the protection of public health, the chief of which is the Public Health Act, 1875, which consolidated previous legislation. By that Act and other minor incorporated Acts, provision is made, among other matters, for the regulation of the construction of new streets and buildings and of slaughter-houses, of common lodging-houses; the use of markets; the prohibition of practices dangerous to health, such as keeping animals near dwellings and offensive trades; the plying of hackney carriages and of pleasure boats and vessels, etc. Other Acts provide against adulteration and the unhealthy management of dairies, cowsheds, and milkshops. Then we have the Merchants' Shipping Act for the protection of seamen, and Acts for the control of electric lighting, telephones, railway rates, etc. By rigid inspection and registration, the State exercises in numerous instances controlling power of another kind. But more important than any of these controls is the power which, by Mr. Gladstone's famous Irish Land Acts, the State has assumed to control rents in Ireland,— a precedent that was not lost sight of when it came to dealing with the agrarian grievances of the crofters in the north of Scotland. This record will show that not a little has been done to curtail the power of capital in its unequal contest with labor, and to insist upon such an exercise of individual powers as shall not endanger public health, safety, and convenience.

The particular extension of State control for which the Socialists, together with other reformers, are pressing now, is the limitation of the working day to a maximum of eight hours. There is at present some difference of opinion as to the practicability of enforcing such a requirement in all cases. A modified proposal is to enforce it in all government and municipal establishments, in mines, and in all licensed monopolies (railways, tramways, gasworks, etc.), and in any trade in which the majority of workers demand it. Socialists know that, if the industry of a country were properly organized and every capable person shared the work of production and distribution, much less than eight hours' work per day would be required from each person. They regard eight hours as the maximum which any one ought to be required to work in order to earn a sufficient maintenance. Out of these eight hours, the wage-earner will, as a rule, be working at least two for the benefit of landlords and capitalists.

In addition to this, Socialists intend to agitate for legislation to secure at least one day's holiday per week (not necessarily Sunday) and abstention from work on fête days; the abolition of night work, as far as practicable, for men and women, and entirely for children; and the total suppression of labor by children below the age of fourteen, and protection of children up to the age of eighteen. These requirements were included in the Socialist programme at the recent Paris Congress.

Socialists recognize that much has yet to be done to benefit workers in shops, factories, and, above all, in mines; and further legislation for this purpose is almost certain to be carried very soon. These matters are being looked after by trades-unions and labor associations, and they will have all the help that Socialists can give. Radicals are already talking of the application of the Irish land acts to Wales, Scotland, and England; and it is in this direction, and not in the retrograde proposal to establish a peasant proprietary, that the line of advance to the Socialist goal lies.

2. The progress made in legislation of the kind mentioned in my second division — namely, legislation securing the replacement of private industrial undertakings by State undertakings, *i.e.* by the central authority or by local authorities — has been noteworthy. The most conspicuous example of a State undertaking in England is the post-office. This has been constantly enlarging its functions; and it now undertakes, besides the transmission of letters, the carriage of small parcels, the telegraph business of the country, the banking of small savings, insurances, and limited annuities. The State has also its dockyards, arsenals, and victualling stations, where it builds ships, makes guns, provisions vessels, etc.; it has its Mint, where it fashions the coin of the realm; and it has its galleries and museums, its light-houses, and its coast-guard and pilot services. The State also manages lands and estates, makes land surveys, takes the census, provides weights and measures, controls charities. The number of its employees, excluding the army and navy, is over one hundred and thirty thousand.

More important, however, than these large functions of the central government are the undertakings of the municipalities and other local bodies. Past legislation has provided for a considerable number of these, and they are being constantly added to. Among the more important matters in the hands of local authorities are: education (under the supervision of the central Education Department); the relief of the poor, including management

of large workhouses, the supply of medical attendance during sickness, in accidents, and in childbirth, the apprenticeship of poor youths and young women, the boarding out or placing in families of orphans and deserted children, and the emigration of poor persons; the supply of gas and water; the construction and maintenance of markets, sewage farms, museums, galleries, libraries, parks, public baths and wash-houses, harbors, piers, wharves, bridges, roads, hospitals, lunatic asylums, cemeteries, dispensaries, tramways, ferries, dwellings for artisans, the provision of garden allotments for poor laborers; vaccination; the purchase and sale of lands for street improvements, etc.

Since Socialism is to be chiefly realized through municipal or local organization, and is averse to unnecessary centralization, it seeks by every means to widen the sphere of public enterprise by promoting the extension of the powers of these local bodies. Nevertheless, there are at least two matters which it thinks should be undertaken as soon as possible by the central executive,— the ownership and management of railways and banks. As regards municipal management, there can be little doubt that the obvious advantages of the public supply of gas and water and the provision of baths, wash-houses, and institutions for education and recreation will lead, as Socialists urge that they must lead, to further government undertakings. Socialists have made it a point in their agitation to advocate that the employees in all these public establishments shall be well paid and considerately treated, — paid wages sufficient to insure a respectable maintenance, and allowed reasonable holidays.

The next step in the way of local public enterprise which Socialists would wish to see, and are hoping to see taken soon, is one in connection with that most pressing of English problems,— the problem of the unemployed. Before this problem the politicians stand at present bewildered and helpless. There seems to be no way of dealing with it without interfering, in what they fancy an unwarrantable manner, with vested interests. But, vested interests notwithstanding, the problem must be solved. There are three leading suggestions for dealing with it: first, that of forming pauper or beggar colonies, after the model of those in Holland and Germany; second, the organization of labor in connection with the English workhouses, by which these institutions may be self-supporting,— a remedy advocated by Mr. Arthur Mills, who has propounded a plan in a work entitled "Poverty and the

State"; third, the proposal advocated by Socialists for the organization of agricultural and industrial armies under State control on co-operative principles. Confused and timid as public opinion is at present on this question, it is hardly likely that the evil will be dealt with at once in any thorough-going way, but will for a year or two be met in the partial and unsatisfactory manner at present adopted in some instances,—the opening of stone and labor yards by local authorities to give temporary relief by payment of very low remuneration for rough work (chiefly stone-breaking), which avoids competition with private firms. Meantime, the Socialists will continue to press for the immediate employment of the unwilling idlers upon needful and contemplated public works, public improvements, and especially the erection of artisans' dwellings; and they will continue to agitate for the more satisfactory palliative described above.

Among the Acts recently forced by party exigencies out of the present Conservative government in England was an Allotments Act, which empowers local authorities to purchase land to be let in allotments to certain of the poorer working people. This was a very important concession to the Socialistic principle. It is true that the Act was, as might be expected, very unsatisfactory; but it will no doubt be amended and extended by the next Liberal Government. It is the policy of Socialists to see that every advantage is taken of legislation of this description. The difficulty usually urged as against an extensive acquisition of land by public authorities is the difficulty of raising the purchase money, seeing that taxation already presses so heavily upon the poor. The difficulty is to be met by a readjustment of taxation, which naturally leads me to the third division of my subject.

3. The third kind of legislation for which, as I said, Socialists would work is legislation for the progressive taxation of rent and interest to meet the expenses of government, and the abandonment of all other forms of taxation. This means shifting the burden of taxation entirely on the shoulders of the rich, with the ultimate object of abolishing the class of recipients of rent and interest entirely. Clearly, then, the making of the poor justly rich will imply the now unjustly rich becoming poorer,—poorer, that is, in private possessions, and not in opportunities for noble living. They would have to forego their great luxuries (flunkeys, etc.), which, according to the religion that many profess, would give them some hope of heaven; but it is clear that no real good

which the rich now enjoy, no advantage of art, science, music, literature, entertainment, will be lost under Socialism, which would provide the best of these things for the enjoyment of all.

The principle of a graduated income tax has already been conceded in England by the exemption from the income tax of all incomes not exceeding £150 ($750) per annum, and by the imposition of taxes on personal property, such as death duties. Socialists would be in favor of raising the present limits of income exempted from income tax, of making the tax a graduated one, and of equalizing and increasing the death duties. This has already been proposed by non-Socialists.

At the present moment, the attention of taxation reformers is chiefly turned towards the land. The immense increase in urban rents, and the exorbitant demands made in numberless instances by the ground landlords in London upon the recent renewal of leases, has brought the injustice of the individual appropriation of the unearned increment into full relief. People have begun to see that the rise in rents is due to social causes, and that, as a rule, the landlord has done absolutely nothing to merit the increment. And so we have now a movement, growing daily in strength, for the taxation of ground values. This is supported by Socialists. It is contended that the land tax should be constantly raised, so as in time to absorb the whole of the unearned increment, and eventually all rent whatsoever. Another proposal advanced by other reformers is the special taxation of mineral royalties; and in this, too, as a requirement of the same principle, Socialists concur.

4. I come now to my fourth division of the legislative policy of Socialism,— the promotion of legislation to improve in all possible ways the conditions and opportunities of the poorer citizens. This, I repeat, is not regarded as in any sense charitable relief; and, in taxing the rich for the accomplishment of this end, the poor are simply getting justice. Here, again, Socialism will be developing a species of legislation begun long ago. The obligation of the State to protect the poor against extreme want, and itself from the evils of vagabondage, was recognized long since by the English Poor Law. The further necessity of protecting the poor and the State against the evils of ignorance was later on recognized by the passing of the Education Acts. It is, indeed, now coming to be seen that the condition of the survival of the nation as such in the international commercial struggle calls for the tech-

nical and higher education of the working population; nay, more than this,— that the good of the nation as a whole, rich and poor, can only be secured by keeping the workers efficient in body and mind. The modern race for commercial supremacy is at last for the best educated; and a high education cannot be given to an indigent, overworked, underfed population. In the last resort, in fact, selfishness is suicidal. To the Socialist, the better care of the poor is not a mere matter of expediency: it is a matter of justice. For him the argument from national survival has no ultimate validity, since he is in all nations bent, as an essential part of his mission, upon ending the present international struggle and establishing amity and co-operation among the workers of all countries. He does not believe in the beneficence of selfish struggle, but regards it as subhuman, and of no further value for the purpose of realizing a true society. Socialism would entirely replace private philanthropy by State protection; and it will accordingly work for such an extension of our Poor Law System as will insure the adequate care and comfortable maintenance, without any slur of charitable intention, of the sick and incompetent and aged.

Something has already been done by legislation to provide by public agencies for the needs of the poor as regards bathing, washing, laundry work, education, and recreation. Besides the powers possessed by municipal and other local authorities to erect dwellings for artisans, they possess, and are now more liberally using, powers to construct public baths, wash-houses, and laundries, libraries, galleries, schools, halls, and to provide public parks and recreation grounds (wherein music is often performed and games are furnished at the public expense). With this start made, the way stands open for the speedy extension of public enterprise. Socialists will strive to hasten the time when the poor shall by these co-operative methods be better provided for than the rich; when the facilities for washing, for cooking, and the other operations of daily life in which co-operation is possible, shall be greater in the public establishments than any private enterprise can possibly provide.

In the matter of education, we have very much more ground to make up in England than you have here in America. We have not yet secured free education, even of the most elementary kind. That is what we are agitating for now, and shall probably get very soon. But this will be only a first step. We shall then have

to agitate for the improvement of the elementary education as at present given, and for free higher education; that is, for free public secondary and high schools. The ideal of Socialism is that the State (not necessarily the central authority) should supply, free of cost, the very best education that can be given; and that this education should be continued until every pupil has been fully equipped for that calling for which he or she has been proved to be fitted. In short, we must work not only for free schools, but for free universities. The great obstacle to such progress in England is class distinction. The tendency is to provide separate state schools for rich and poor; for example, by establishing so-called middle-class schools. That is the tendency we have to fight against; and, by the introduction of a uniform school system, to deal a blow at the miserable class separation and pride which are the enemies of noble civilization.

As connected with the subject of education, it should be mentioned that an important demand made by advanced Radicals as well as Socialists is one for the provision of a free daily meal for all children attending board schools. At present, as I previously mentioned, many thousands of school children are unable through sheer lack of food to receive even the elementary teaching given in the public schools; and it is argued that, if education is necessary, then it is necessary that the scholars should be rendered capable of receiving it. That is good logic and good sense.

I have now very briefly sketched the more immediate legislative reforms for which Socialists intend to work as leading towards the full attainment of their ideal; but it needs to be pointed out that the political machinery, electoral, legislative, and administrative, as it now is in England, is very imperfect, old-fashioned, and quite inadequate to modern needs, so that its improvement is another matter for which Socialists are obliged to agitate. We have nothing like the clear and consistent — though, it would seem, not wholly perfect — system of the United States. We have to "democratize" our political institutions, to simplify and consolidate our electoral methods and districts, to decentralize and unify administrative functions. Hence Socialists include in their programme the following items: adult suffrage; the abolition of all property qualifications and all privileges in voting and in representation (which includes the abolition of that decorative remnant of feudalism, the House of Lords); the payment of election expenses and of salaries to public representatives; more frequent

Parliaments, probably annual. These reforms are not advocated by Socialists only. They are included in the recognized Liberal and Radical programmes. The same may be said of the proposal to reform the present anomalous and absurd laws for the registration of voters and the areas of electoral districts, than which nothing can be more puzzling and irrational. Lastly there is the reform of local administration. At present, the system is most confused and clumsy, and only an ingenious mind can comprehend it. Local authorities,— county, municipal, union, township, sanitary, highway, lighting, education, etc.,— whose jurisdiction extends over different, overlapping areas, have been multiplied until the adjustment of their powers and duties often perplexes the central adjudicating authority, the Local Government Board. The passage of the Local Government Act, 1888, is the first step towards the introduction of order into this chaos.

It must be borne in mind that these political aims which I have outlined by no means exhaust the practical aims of the Socialist movement. It relies on other forces for the accomplishment of its purpose. I do not speak of its educational work, its propaganda at elections and so forth; while, as for its effort to secure the election of Socialists to Parliament and upon local bodies, that may be held to come under the head of political aims. (Several Socialists have been elected on town councils, school boards, vestries, etc.) The leading principle of their extra-political work is to further any movement that will justly increase the power of labor against capital. Therefore, they are anxious to do all that can be done in the way of strengthening and increasing labor organizations, and in assisting the workers in strikes and disputes. Thus, when the girls employed in the great match factory of Bryant & May struck work last year, the Socialists took the matter up, organized the strikers, moved public opinion in their favor, collected and distributed funds for their support, and succeeded in getting them to unite to form a trades-union. The Socialist to whose untiring and judicious efforts the success of the strike was mainly due, Mrs. Annie Besant, was elected secretary of the union. It was a Socialist who took the directing part in the recent successful strike of gas engineers in London. It is a Socialist, John Burns, who has been the friend and leader of the dock laborers in their present strike. Annie Besant, it may be said, is a member of the London School Board, where she has a Socialist ally in the Rev. Stewart Headlam; and it was owing to her that the

School Board passed a resolution pledging itself in effect not to give contracts to firms who do not pay the trades-union rate of wages. This was an important point gained, and the example of this metropolitan board is almost sure to be followed by other public bodies. John Burns is a member of the London County Council, and he will shortly try to get that authority to make a similar regulation.

The efforts of Socialists to promote the closer union of the workers are not confined to England, but, as the international scope of the movement requires, are directed towards securing an understanding between the workers in all European countries. This work has produced good results, and is fostering a sense of international solidarity, which, as events have actually shown, is leading workmen on the Continent to refuse to replace their English comrades at lower wages.

In conclusion, let me say that Socialism is very much more as a revolutionary force in modern life than these practical aims would seem to imply. It has appeared as a new hope, not only to the needy and baffled wage-worker, but to many a despondent poet, philosopher, artist, and craftsman. And thus it is that the movement has become penetrated by an inspiring sense that it is the herald of a nobler epoch of civilization, the liberator not only of the down-trodden people, but of a corrupted art and literature and religion. On all sides, men and women are coming to see that the diverse evils and deformities of our civilization are closely connected with a fundamental social injustice, and that no fair flowers of life and deed can spring from a society that is rooted in dishonor, in a debasing struggle for riches, and in an estranging inequality. The significance of Socialism lies in the fact that it is at the core the expression of a new view of life; and yet not new in any absolute sense, but new to the average conviction and conscience of the age. At the heart of it lies the belief that we are, with our absorption in "getting and spending," missing the true end of life through a foolish care for the mere means of living. This is but to say again, in the language familiar to Christendom, that human happiness does not consist in the abundance of possessions, and that riches are a real impediment to the higher life.

If there is anything that convicts the modern world of insincerity, it is the appalling discrepancy between its profession and its practice,—the root of much prevailing cynicism and infidelity. "Ye cannot serve God and Mammon"; "a rich man shall hardly

enter into the kingdom of heaven"; "lay not up for yourselves treasures upon earth," — reflect what a glaring unfaithfulness to these sayings the commercial and social life of to-day discloses! Socialism would have those who believe in such ideas turn and be faithful to them. As opposed to the present life of struggle for outward riches, it advances the ideal of a life of co-operation for that true wealth which is the enrichment of man's mind and heart with truth and beauty and fellowship,— a life not choked by material encumbrances, but clean and wholesome in its refined simplicity; a life which promotes the development of manly character and the full fruition of human powers for the good and enjoyment of all.

JOURNAL

OF

SOCIAL SCIENCE

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION

NUMBER XXVII

OCTOBER 1890

SARATOGA PAPERS OF 1890

PART I.

SOCIAL ECONOMY PAPERS: THE SINGLE TAX DEBATE

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION

DAMRELL & UPHAM, BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK

1890

EDITED BY

F. B. SANBORN

GENERAL SECRETARY OF THE ASSOCIATION

CONCORD, MASS.

Press of Geo. H. Ellis, 141 Franklin Street, Boston.

TABLE OF CONTENTS.

	Page
General Meeting of 1890,	v–vii
Constitution, Officers, Members, etc.,	viii–xvi
Publications of the Association,	xvii–xx
The Third Estate at the South. A. D. Mayo,	xxi–xlii
The Work of Twenty-five Years. Report of the Secretary, F. B. Sanborn,	xliii–xlix
Charles Loring Brace. F. J. Kingsbury,	l–lii
Annual Report on Co-operative Banks and Building Associations,	liii–lviii
Introduction to Single Tax Discussion,	lx
The Single Tax Debate,	1–124
1. What the Single Tax is. S. B. Clarke,	1–7
2. The Single Tax. Thomas Davidson,	8–14
3. Remarks of W. L. Garrison,	15–20
4. Moral Basis of Property in Land. Prof. John B. Clark,	21–28
5. Single Land Tax and Public Finance. President E. B. Andrews,	29–33
6. Address of Prof. E. R. A. Seligman,	34–44
Single Tax Platform,	45–47
7. Address of Louis F. Post,	48–54
8. Remarks of Edward Atkinson,	55–72
9. Remarks of Henry George,	73–86
10. Remarks of Professor Seligman,	87–98
11. Paper of James R. Carret,	99–112
12. The Single Tax. Prof. W. T. Harris,	113–121
13. Final Remarks of Edward Atkinson,	122–124
Circular of the Association,	125–127

INTRODUCTION.

The papers included in this number of the *Journal of Social Science* are about half of the Saratoga papers of 1890. As some misapprehension may exist in regard to the publication of papers by the Association, it may here be said that all papers engaged for the General Meeting of the American Social Science Association are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide. If, therefore, the writers choose to publish their papers elsewhere (to which the Council offers no objection), it must be with the stipulation that these papers may also be published in the *Journal*, at the option of the Council as to the time of publication.

A list of all the addresses and papers at the meeting of 1890 is printed on pages v–vii. Those belonging to the Departments of Education, Health, and Jurisprudence are withheld for the present.

The papers and the debate on the Single Tax are here printed in full, except that the two speeches of Mr. George have been condensed by him into one, which is printed from his own copy, and has been revised by him in proof. The remarks of Professor James, being *extempore*, could not be furnished by him; and the reporter failed to take them down.

The long address of Dr. Mayo has been printed out of its order, on account of the interest which its reading excited; and it was thought best, also, to print the report on Co-operative Banks at once, because the subject is one of constant inquiry.

A small special edition of the Single Tax Discussion is published by the Association, and may be ordered of the Secretary, F. B. Sanborn, Concord, Mass., at 30 cents the single copy, $13 for fifty copies, and $25 per hundred.

CONCORD, MASS., Nov. 1, 1890.

General Meeting of 1890

The General Meeting of 1890 was held in Saratoga, beginning Monday, Sept. 1, and closing Friday, Sept. 5.

The President of the Association, Hon. A. D. White, gave the opening Address Monday evening, Sept. 1, at 8 o'clock, in recognition of the 25th anniversary of the Association, on "*Instruction in Social Science.*" On the same evening, at 9.30 P.M., the Report of the General Secretary, F. B. Sanborn, of Concord, Mass., was presented.

The Departments held sessions as follows: —

TUESDAY, SEPTEMBER 2.

Department of Education.

9.00 A.M. Remarks by the Chairman, Dr. E. M. Gallaudet, of Washington, D.C.

9.30 A.M. "*College Girls and Working Girls as Factors in Social Life.*" A Paper by Miss F. J. Dyer, Boston, Mass.

10.00 A.M. A Paper on "*Trade Schools,*" by R. T. Auchmuty, Esq., of New York.

11.00 A.M. "*Education and Crime.*" A Paper by Dr. W. T. Harris, Washington, D.C., followed by a Debate.

12.30 P.M. "*School Savings-banks as a Feature in the Education of Children.*" By J. H. Thiry, Long Island City, N.Y.

8.30 P.M. Remarks by President White, on "*The Future of American Colleges and Universities.*"

9.00 P.M. "*The Middle Estate in the South.*" By Rev. A. D. Mayo, D.D., of Boston.

WEDNESDAY, SEPTEMBER 3.

Department of Health.

9.30 A.M. Remarks by the Chairman, Dr. H. HOLBROOK CURTIS, of New York.

10.00 A.M. "*Mental Health and the Newspapers.*" By Dr. F. W. RUSSELL, Winchendon, Mass., followed by a Debate.

11.30 A.M. "*Training of Attendants for the Insane.*" By Dr. WILLIAM D. GRANGER, Vernon House, Mount Vernon, N.Y., followed by a Debate, and by Remarks by Dr. WALTER CHANNING, of Brookline, Mass., on "*Physical Training for the Insane.*"

1.00 P.M. "*The Social Science Problems of Inebriety.*" By Dr. T. D. CROTHERS, Hartford, Conn.

8.00 P.M. Election of Officers of the Association.

8.30 P.M. "*The Tenement House: Its Influence on the Child.*" By Dr. MARY E. HERRICK, New York.

9.00 P.M. "*Tenement House Architecture.*" By EDWARD T. POTTER, Esq., New York.

9.30 P.M. "*The Status of Water in Modern Medicine.*" By Dr. S. BARUCH, New York.

THURSDAY, SEPTEMBER 4.

Department of Jurisprudence.

9.30 A.M. A Paper on "*Municipal Reform,*" by President WHITE, followed by a Debate.

11.30 A.M. A Paper, "*Laissez Faire Run Mad.*" By H. L. WAYLAND, D.D., Philadelphia.

12.30 P.M. "*History of Voting by Ballot.*" By L. BENET, Esq., Brooklyn, N.Y.

8.00 P.M. "*Prison Science as Embodied in Recent Prison Legislation in New York.*" By EUGENE SMITH, Esq., New York, followed by a Debate.

FRIDAY, SEPTEMBER 5.

Department of Finance.

9.00 A.M. Remarks by the Chairman, JOHN P. TOWNSEND, Esq., of New York.

9.30 A.M. A Paper on "*The Progress of the Financial Credit of the United States Government since* 1861." By Mr. JOSEPH T. BROWN, of New York.

10.00 A.M. Report by the Secretary, F. B. SANBORN, on "*Co-operative Banks and Building Associations*," followed with Remarks by Hon. SEYMOUR DEXTER, of Elmira, N.Y.

FRIDAY, SEPTEMBER 5.

Department of Social Economy.

The day and evening were given to a thorough discussion of the "*Single Tax*" advocated by HENRY GEORGE.

10.00 A.M. to 1.30 P.M. Papers and Debates by

LOUIS F. POST, Esq., ... of New York.
Dr. W. T. HARRIS, ... of Washington, D.C.
Hon. EDWARD ATKINSON, ... of Boston, Mass.
SAMUEL B. CLARKE, Esq., ... of New York.
Prof. E. R. A. SELIGMAN, . of Columbia College, New York.
Prof. J. B. CLARK, . . of Smith College, Northampton.
WILLIAM LLOYD GARRISON, Esq., . . of Boston, Mass.
HENRY GEORGE, Esq., ... of New York.

An afternoon session was held at 4.00 P.M., with a Paper on "*New Aspects of the American Tariff.*" By EVERETT P. WHEELER, Esq., of New York.

5.00 P.M. to 10.30 P.M. Papers and Debates by

JAMES R. CARRET, Esq., ... of Boston.
Prof. THOMAS DAVIDSON, ... of New York City.
President E. B. ANDREWS, . . of Brown University.
HENRY GEORGE, Esq., ... of New York City.
Prof. E. J. JAMES, ... of Philadelphia.
Prof E. R. A. SELIGMAN, ... of New York.
Hon. EDWARD ATKINSON, ... of Boston.

AND OTHERS.

CONSTITUTION, LIST OF OFFICERS, MEMBERS, ETC.

OF THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

CONSTITUTION.

I. This Society shall be called the AMERICAN SOCIAL SCIENCE ASSOCIATION.

II. Its objects shall be classified in five departments: the first, of Education; the second, of Health; the third, of Trade and Finance; the fourth, of Social Economy; the fifth, of Jurisprudence.

III. It shall be administered by a President, as many honorary Vice-Presidents as may be chosen, a Treasurer, a Secretary, and a Council, charged with general supervision; five Department Committees, established by the Council, charged with the supervision of their respective departments; and such Local Committees as may be established by the Council at different points, to serve as branch associations. The Council shall consist of the President, Treasurer, and Secretary, the Chairman and Secretary of each Department, and ten Directors, with power to fill vacancies and to make their own By-Laws. The President, Vice-Presidents, Treasurer, Chairman, and Secretaries of Departments, and Directors shall be chosen annually by members of the Association, and shall hold office till their successors are chosen. The President, or, in his absence, a Director, shall be Chairman of the Council. The Chairman of the Local Committees shall be chosen at the pleasure of their respective committees. Whenever a Branch Association shall be organized and recognized as such by the Council, its President shall be *ex-officio* one of the Vice-Presidents of the American Association, and, together with the Secretary and Treasurer, shall be entitled to all the privileges of membership in that Association; and, whenever a Local Department shall be organized and recognized as such by the Council, its chairman shall become *ex-officio* a member of the parent Association The Chairman and Secretary of each Department, with the consent of the President of the Association, may appoint such special Department Committees as they may think best. The General Secretary shall be elected for three years, unless he resigns or is removed by a two-thirds' vote of the members present and voting in a regular meeting of the Council; and, out of his compensation, he may pay the salary of an Assistant Secretary, who may also be Secretary of one Department.

IV. Any person may become a member by paying five dollars, and may continue a member by paying annually such further sum as may be fixed at the Annual Meeting, not exceeding ten dollars. On payment of one hundred dollars, any person may become a life member, exempt from assessments. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The Council shall have sole power to call and conduct General Meetings, and to publish the Transactions and other documents of the Association. The Department Committees shall have power to call and conduct Department Meetings.

VI. No amendment of this Constitution shall be made, except at an annual meeting, with public notice of the proposed amendment.

American Social Science Association.

(Founded in 1865.)

OFFICERS OF THE ASSOCIATION.

1890-91.

President, ANDREW DICKSON WHITE, Ithaca, N.Y.

First Vice-President, CARROLL D. WRIGHT, Washington, D.C.

Vice-Presidents.

FRANCIS WAYLAND, New Haven, Ct.
DANIEL C. GILMAN, Baltimore, Md.
WILLIAM T. HARRIS, Washington, D.C.
RUFUS KING, Cincinnati.
Mrs. JOHN E. LODGE, Boston.
LUCY M. HALL, M.D., Brooklyn, N.Y.
Mrs. CAROLINE H. DALL, Washington, D.C.
E. BENJAMIN ANDREWS, Providence, R.I.
JOHN EATON, Marietta, Ohio.
GRACE PECKHAM, M.D., New York.
HENRY B. BAKER, Lansing, Mich.
DORMAN B. EATON, New York.
PLINY EARLE, Northampton, Mass.
HENRY VILLARD, New York.
H. HOLBROOK CURTIS, M.D., New York.
JOHN M. GREGORY, Washington, D.C.
R. A. HOLLAND, St. Louis, Mo.

General Secretary, F. B. SANBORN, Concord, Mass.

Treasurer, ANSON PHELPS STOKES, 54 Wall St., New York.

Directors.

CHARLES A. PEABODY, New York.
F. J. KINGSBURY, Waterbury, Conn.
T. W. HIGGINSON, Cambridge.
JOHN W. CARTER, Boston.
CHARLES A. COLLIN, Ithaca, N.Y.
H. L. WAYLAND, Philadelphia.
E. J. JAMES, Philadelphia.
JOHN L. MILLIGAN, Allegheny, Pa.
S. M. HOTCHKISS, Hartford, Ct.
THEODORE ROOSEVELT, New York.

Department Officers.

I. *Education.*—E. M. GALLAUDET, Washington, *Chairman;* WALTER CHANNING, M.D., Brookline, Mass., *Secretary.*

II. *Health.*—FREDERICK PETERSON, M.D., 201 W. 54th St., New York, *Chairman;* W. D. GRANGER, M.D., Mt. Vernon, N.Y., *Secretary.*

III. *Finance.*—JOHN P. TOWNSEND, 53 E. 54th St., New York, *Chairman;* SETH S. TERRY, 45 William St., New York, *Secretary.*

IV. *Social Economy.*—F. B. SANBORN, Concord, *Chairman;* Rev. JOHN GRAHAM BROOKS, Brockton, Mass., *Secretary.*

V. *Jurisprudence.*—Prof. FRANCIS WAYLAND, New Haven, *Chairman;* Prof. WILLIAM K. TOWNSEND, New Haven, *Secretary.*

Executive Committee.

A. D. WHITE, *President;* F. B. SANBORN, *General Secretary;* ANSON PHELPS STOKES, *Treasurer;* Dr. W. CHANNING, *Education Secretary;* Dr. F. PETERSON, *Health Chairman;* Prof. FRANCIS WAYLAND, *Jurisprudence Chairman;* JOHN P. TOWNSEND, *Finance Chairman;* Rev. J. G. BROOKS, *Social Economy Secretary.*

DEPARTMENT COMMITTEES, 1890–91.

Education Department.— Dr. E. M. Gallaudet, Washington, D.C.; Dr. S. F. Scovel, Wooster, Ohio; T. W. Higginson, Cambridge, Mass.; Professor W. T. Harris, Washington, D.C.; Justin Winsor, Cambridge, Mass.; Richard T. Auchmuty, New York; Professor Alpheus Hyatt, Boston; Louis F. Soldan, St. Louis, Mo.; Mrs. G. H. Palmer, Cambridge, Mass.; Professor W. H. Payne, Ann Arbor, Mich.; Miss Marian Talbot, Walter S. Parker, Horace G. Wadlin, Boston; Walter Channing, M.D., Brookline, Mass.

Health Department.— Frederick Peterson, M.D., 201 West 54th Street, New York; H. Holbrook Curtis, M.D., New York; E. M. Hunt, M.D., Metuchen, N.J.; D. F. Lincoln, M.D., Boston; W. Gill Wylie, M.D., New York; Professor W. H. Brewer, New Haven, Conn.; George E. Waring, Jr., Newport, R.I.; J. S. Billings, M.D., Washington, D.C.; Henry B. Baker, M.D., Lansing, Mich.; E. C. Seguin, M.D., New York; Mary Putnam-Jacobi, M.D., New York; Lucy M. Hall, M.D., Brooklyn, N.Y.; Grace Peckham, M.D., New York; B. Sachs, M.D., New York; Dr. Titus Munson Coan, New York; A. N. Bell, M.D., Brooklyn; Cyrus Edson, M.D., New York; Professor Charles Doremus, New York; William D. Granger, M.D., Mount Vernon, New York.

Finance Department.— John P. Townsend, 53 East 54th Street, New York; William L. Trenholm, New York; David J. Hill, Rochester, N.Y.; George S. Coe, New York; Francis A. Walker, Boston; Edward Atkinson, Boston; Professor H. W. Farnam, New Haven, Conn.; Professor Henry C. Adams, Ann Arbor, Mich.; Gamaliel Bradford, Boston; W. M. Ivins, New York; J. Sloat Fassett, Elmira, N.Y.; Martin W. Cooke, Rochester, N.Y.; Professor E. J. James, W. Philadelphia; Robert P. Porter, Washington, D.C.; Joseph Wright, Cincinnati; Professor J. W. Jenks, Galesburg, Ill.; C. C. Jones, Augusta, Ga.; Seth S. Terry, New York.

Social Economy Department.— F. B. Sanborn, Concord, Mass.; Carroll D. Wright, Washington, D.C.; Robert Treat Paine, Boston; Rev. Washington Gladden, Columbus, Ohio; Rev. John L. Milligan, Allegheny, Pa.; Mrs. Clara T. Leonard, Springfield, Mass.; Miss Mary M. Cohen, Philadelphia; Miss Grace E. Dodge, New York; Miss Anna L. Dawes, Pittsfield, Mass.; Professor E. J. James, Philadelphia; Rev. J. G. Brooks, Brockton, Mass.; Joseph Lee, Boston.

Jurisprudence Department.— Professor Francis Wayland, New Haven, Conn.; Hon. C. C. Bonney, Chicago, Ill.; Charles A. Peabody, New York; Professor Henry Hitchcock, St. Louis, Mo.; Rufus King, Cincinnati; Professor Carleton Hunt, New Orleans; Professor T. W. Dwight, New York; F. L. Wayland, Philadelphia; B. H. Bristow, New York; Emerson Etheridge, Dresden, Tenn.; C. J. Bonaparte, Baltimore; Theodore Bacon, Rochester, N.Y.; Theodore S. Woolsey, Professor William K. Townsend, New Haven, Conn.

MEMBERS OF THE ASSOCIATION.

[All Officers are *ex-officio* members of the Association; but persons serving on the Department Committees may or may not be members of the Association. In this present list, the annual members are given alphabetically, without reference to States; then the life members follow, classified by States; and, finally, the honorary and corresponding members. The only distinction between honorary and corresponding members is that the former reside in the United States, the latter in foreign countries. It is a rule of the Association to drop from the list of annual members those who have not paid their assessment for two years, but members so dropped can be restored to the list by paying their arrears. If former members do not find their names on the list as it now stands, it will generally be for the reason just mentioned.

No List of Members of the Association, as printed, can ever be quite complete, so many changes occur by death and withdrawal, the accession of new members, etc. The following list is as complete as the Secretary could make it up to Oct. 1, 1890; but, no doubt, the addresses of several members are wrong, and there are instances of names misprinted, etc., of which the Secretary will thank any person to notify him when the fact is observed.]

ANNUAL MEMBERS.

Adams, Mrs. Florence J., 286 Huron St., Chicago.
Adams, W. Irving, 423 Broome St., New York City.
Aiken, Rev. Charles A., Princeton, N.J.
Anderson, Rev. J., Waterbury, Conn.
Atkinson, Edward, 31 Milk St., Boston.
Auchmuty, R. T., 51 University Place, New York, N.Y.
Avery, Edward H., Auburn, N.Y.
Baker, Henry B., State Board of Health, Lansing, Mich.
Baldwin, Prof. S. E., New Haven, Ct.
Barnum, Hon. Wm. H., Lime Rock, Conn.
Battell, Hon. Robbins, 74 Wall St., New York.
Baucus, Joseph D., Saratoga Springs, N.Y.
Beckwith, P. D., Dowagiac, Mich.
Beckwith, Miss, 68 Brown St., Providence, R.I.
Billings, Frederick, 170 Broadway, New York.

Bird, F. W., East Walpole, Mass.
Bissinger, Philip, 22 St. John St., New York City.
Blatchford, E. W., 375 La Salle Ave., Chicago, Ill.
Boardman, D. L., Troy, N.Y.
Bonney, C. C., Chicago, Ill.
Bowker, R R., Brooklyn, N.Y.
Bradford, Rev. A. H., Montclair, N.J.
Braman, J. C., 50 State St., Boston.
Breed, W. J., Cincinnati.
Brewster, Lyman D., Danbury, Conn.
Brinkerhoff, Roeliff, Mansfield, Ohio.
Brockway, Z. R., Elmira, N.Y.
Brooks, Rev. J. G., Brockton, Mass.
Brooks, Rev. Phillips, 233 Clarendon St., Boston.
Brown, Dr. W. Y., 3319 Hamilton St., Philadelphia.
Bruen, Rev. J. D. Hart, Belvidere, N.J.
Bull, Dr. Charles Stedman, 51 West 36th St., New York City.
Bullard, W. S., 5 Mt. Vernon St., Boston.
Carter, John W., 172 Columbus Ave., Boston.
Chamberlain, D. H., 42 Wall St., New York.
Channing, Dr. Walter, Brookline, Mass.
Chase, George B., 234 Beacon St., Boston.
Church, Chas. R., 63 1st St., Troy, N.Y.
Church, Frederic E., Hudson, N.Y.
Clark, Prof. J. B., Northampton, Mass.
Clark, J. S., 7 Park St., Boston.
Clinton, H. L., 58 Park Ave., New York.
Cohen, Miss Mary M., 242 S. 21st St., Philadelphia, Pa.
Collamore, Miss H., 115 Beacon St., Boston.
Collier, M. Dwight, 146 Broadway, New York.
Collin, Prof. Charles A., Ithaca, N.Y.
Coolidge, T. Jefferson, 60 State St., Boston.
Corning, Erastus, 87 State St., Albany, N.Y.
Coxe, Eckley B., Drifton, Luzerne Co., Pa.
Crane, Rev. Oliver, Montclair, N.J.
Crothers, Dr. T. D., Hartford, Conn.
Curtis, Geo. W., West New Brighton, Staten Island, N.Y.
Curtis, H. Holbrook, M.D., 29 West 30th St., New York.
Dall, Mrs. Caroline H., Washington, D.C.
Davies, Julien T., 32 Nassau St., New York City.
Davis, A. McF., Cambridge, Mass.
Dawes, Miss Anna L., Pittsfield, Mass.
Dexter, Seymour, Elmira, N.Y.
Dike, Rev. S. W., Auburndale, Mass.
Dimock, H. F., Pier 11, N. R., New York City.
Dittenhoeffer, Hon. A. J., 96 Broadway, New York.
Doughty, W. H., Troy, N.Y.
Dowd, Rev. Charles F., Saratoga, N.Y.
Draper, Dr. Joseph, Vermont Lunatic Asylum, Brattleboro, Vt.
Dreer, Ferdinand J., 1520 Spruce St., Philadelphia, Pa.
Dunning, Rev. A. E., 1 Somerset St., Boston.
Earle, Mrs. Ann B., 40 Summer St., Worcester, Mass.
Earle, Dr. Pliny, Northampton, Mass.
Eaton, Dorman B., 2 East 29th St., New York City.
Eaton, Hon. John, Marietta, Ohio.
Edmands, A. Lawrence, P.O. Box 1425, Boston.
Eliot, C. W., LL.D., 17 Quincy St., Cambridge, Mass.
Eliot, Rev. T. L., Portland, Ore.
Farnam, H. W., New Haven, Conn.
Foote, Miss Mary B., 352 Howard St., Cambridge, Mass.
Foster, T. A., M.D., Portland, Me.
Fowler, Charles N., 208 Broadway, New York.
French, Francis O., 33 West 37th St., New York City.
Frothingham, Rev. Frederick, Milton, Mass.
Frothingham, Rev. O. B., 118 Marlboro St., Boston.
Frothingham, Mrs. O. B., 118 Marlboro St., Boston.
Gallaudet, E. M., LL.D., Washington, D.C.
Gano, John A., Cincinnati, Ohio.
Gates, Merrill E., LL.D., Pres. Amherst College, Amherst, Mass.
Gilman, D. C., LL.D., Pres. Johns Hopkins University, Baltimore, Md.
Ginn, Edwin. 13 Tremont Pl., Boston.
Gladden, Rev. Washington, Columbus, Ohio.
Goddard, Miss Matilda, 251 Newbury St., Boston.
Granger, Dr. W. D., Mt. Vernon, N.Y.
Graydon, Miss, 26 W. 48th St., New York.
Green, Jacob L., Hartford, Conn.
Greenough, W. W., 24 West St., Boston.
Gregory, J. M., Temple Court, New York.
Grew, Henry S., 89 Beacon St., Boston.
Groesbeck, W. S., Cincinnati, Ohio.

Haines, H. S., Savannah, Ga.
Hale, Geo. S., 10 Tremont St., Boston.
Hallowell, Mrs. R. P., West Medford, Mass.
Harding, George F., Chicago, Ill.
Harkness, Prof. A., Providence, R.I.
Harris, Wm. T., Washington, D.C.
Higginson, T. W., 25 Buckingham St., Cambridge, Mass.
Higginson, Waldo, Boston.
Hitchcock, Henry, 404 Market St., St. Louis, Mo.
Hitz, John, Washington, D.C.
Hoadly, George, 120 Broadway, New York City.
Holland, Rev. R. A., St. Louis, Mo.
Hollister, G. B., Cincinnati, Ohio.
Holt, Henry, 14 East 54th St., New York City.
Hooker, Mrs. I. B., Hartford, Conn.
Horsford, Prof. E. N., Cambridge, Mass.
Hotchkiss, S. M., Hartford, Conn.
Howland, Richard G., Hope, R.I.
Hutchings, John, Lawrence, Kan.
Hyde, Rev. C. M., D.D., Honolulu, Sandwich Islands.
Jacobi, Dr. A., 110 West 34th St., New York City.
James, Prof. E. J., University of Pennsylvania, West Philadelphia.
James, Mrs. John W., 37 Newbury St., Boston.
Jaques, David R., 38 Park Row, New York City.
Jones, Fernando, 1834 Prairie Ave., Chicago.
Kellogg, Charles D., 21 University Pl., New York.
Kellogg, Dr. John H., Battle Creek, Mich.
Kimball, B. A., Concord, N.H.
King, Rufus, Cincinnati, Ohio.
Kingsbury, Miss Alice E., Waterbury, Conn.
Kingsbury, Miss Edith D., Waterbury, Conn.
Kingsbury, F. J., Waterbury, Conn.
Kursheedt, Manuel A., 4 Warren St., New York.
Lee, Henry, 40 State St., Boston.
Lee, Joseph, Brookline.
Leete, Dr. James M., 2912 Washington Ave., St. Louis, Mo.
Leggett, Miss A. F., Saratoga Springs, N.Y.
Leonard, Mrs. C. T., Springfield, Mass.
Levy, Rev. Clifton H., 449 W. 23d St., New York.
Lindsey, C. E., Fall River, Mass.
Little, Moses, 63 Merrimack St., Lowell, Mass.
Livermore, Rev. A. A., Wilton, N.H.
Lyman, Arthur T., Boston.
Lynde, Mrs. Wm. P., Milwaukee, Wis.
Marshall, James, Fall River, Mass.
Marwedel, Miss Emma, San Francisco, Cal.
May, Rev. Samuel, Leicester, Mass.
McCandless, E. V., Pittsburg, Pa.
McLeod, C. A., Troy, N.Y.
Means, William G., 40 Water St., Boston.
Mercer, George G., 330 Walnut St., Philadelphia.
Minot, Wm., Jr., 39 Court St., Boston.
Mitchell, Charles L., New Haven, Conn.
Mitchell, Mary A., Villa de Bouyn, Ave. des Fleurs, Nice, U.M., France.
Moore, Chas. Halsey, Plattsburg, N.Y.
Morey, Prof. W. C., Rochester, N.Y.
Neilson, James, New Brunswick, N.J.
Nordhoff, Charles, 1731 K St., Washington, D.C.
North, Thomas M., 120 Broadway, N.Y.
Oliver, Mrs. Grace A., Salem, Mass.
Olmsted, Frederick Law, Brookline, Mass.
Paine, Robert Treat, 6 Joy St., Boston.
Parkman, Henry, Rogers Building, 209 Washington St., Boston.
Parsons, S. M., 41 Wall St., New York.
Peabody, Charles A., 2 Wall St., New York City.
Pool, Cyrus O., 106 West 29th St., New York.
Post, H. C. von, P. O. Box 137, New York City.
Potter, Edward T., Newport, R.I.
Prang, Louis, 286 Roxbury St., Boston.
The President of the Social Science Club, Ware, Mass.
Putnam, Charles P., M.D., 63 Marlboro St., Boston.
Robbins, George A., Box 947, New York City.
Robinson, D. A., Bangor, Me.
Ropes, John C., 50 State St., Boston.
Ropes, Joseph S., 48 Congress St., Boston.
Rotch, Miss Joanna, Milton, Mass.
Round, W. M. F., 135 East 15th St., New York City.
Rowe, Dr. G. H. M., City Hospital, Boston. Mass.
Runkle, Prof. J. D., Brookline, Mass.
Salisbury, Stephen, Worcester, Mass.
Sawyer, Miss, 68 Brown St., Providence, R.I.
Schlesinger, Barthold, Boston.
Schurman, Prof. J. G., Ithaca, N.Y.
Schuyler, Miss Louisa Lee, 19 West 31st St., New York City.

Schwab, Gustavus, Box 137, New York City.
Scovel, Rev. Sylvester F., Wooster, Ohio.
Seguin, E. C., M.D., 419 Madison Ave., New York City.
Shattuck, George O., 35 Court St., Boston.
Slocum, Miss Jane M., Canandaigua, N.Y.
Smith, Eugene, 33 Pine St., N.Y.
Smith, Mrs. Frances A., 124 Circular St., Saratoga, N.Y.
Smith, George W., 115 Vernon St., Hartford, Conn.
Smith, H. D., Plantsville, Conn.
Smith, Roswell, Century Co., New York.
Smith, T. H., 218 La Salle St., Chicago.
Spear, C. V., Oberlin, Ohio.
Spencer, Mrs. Sara A., Washington, D.C.
Stearns, James S., 45 Williams St., New York City.
Stevenson, Robert H., 58 Chestnut St., Boston.
Stickney, George, Grand Haven, Mich.
Stokes, James, 59 Liberty St., New York.
Strauss, Oscar N., 42 Warren St., New York.
Sullivan, Richard, 25 Mount Vernon St., Boston.
Sunderland, Rev. J. T., Ann Arbor, Mich.
Swartz, James S., 234 South 4th St., Philadelphia, Pa.
Talbot, Mrs. I. T., 66 Marlboro St., Boston.
Talcott, J. B., New Britain, Conn.
Taylor, James R., 268 Henry St., Brooklyn, N.Y.
Thurber, F. B., 116 Reade St., New York City.
Titsworth, Rev. J., Milwaukee, Wis.
Townsend, John P., 53 East 54th St., New York City.
Townsend, Prof. W. K., New Haven, Conn.
Trumbull, Rev. H. C., Philadelphia, Pa.
Tufts, Gardiner, Warnerville, Mass.
Van Bibber, Dr. W. C., 26 W. Franklin St., Baltimore, Md.
Vaughan, J. C., 88 State St., Chicago.
Villard, Henry, Mills Building, New York City.
Waring, George E., Jr., Newport, R.I.
Warner, Charles Dudley, Hartford, Conn.
Wayland, C. N., 9 West 36th St., New York City.
Wayland, Mrs. Francis, New Haven, Conn.
Wayland, Rev. Dr. H. L., Philadelphia, Pa.
Weeks, Joseph D , Pittsburg, Pa.
Wells, Edward W., 34 Prospect St., Hartford, Conn.
White, Alfred T., 40 Remsen St., Brooklyn, N.Y.
White, Andrew D., Ithaca, N.Y.
White, Horace, 210 Broadway, New York City.
Wheeler, E. S., New Haven, Conn.
Wheeler, J. Davenport, care Prof. Francis Wayland, New Haven, Conn.
Willard, Miss Frances E., 161 La Salle St., Chicago, Ill.
Willson, Rev. Clarence H., Sag Harbor, N.Y.
Winthrop, Robert C., 90 Marlboro St., Boston, Mass.
Wolcott, Mrs. Harriet F., Boston, Mass.
Wolcott, J. Huntington, 53 Tremont St., Boston, Mass.
Wood, Frederick, 245 Broadway, New York City.
Wood, Rev. Horatio, Lowell, Mass.
Woolsey, Prof. Theodore S., New Haven, Conn.
Wright, Carroll D., Washington, D.C.
Wyman, F. A., 131 Devonshire St., Boston, Mass.
Young, Charles L., 71 Mount Vernon St., Boston, Mass.
Young, Henry L., Poughkeepsie, N.Y.

LIFE MEMBERS.

Illinois.

Myers, Sydney, Chicago.

Maine.

Hill, Rev. Thomas, Portland.

Massachusetts.

Angell, George T., Montgomery Place, Boston.
Barnard, James M., Boston.
Barnard, Mrs. James M., Boston.
Blatchford, J. S., Boston.
Bradford, Gamaliel, 113 Exchange St., Boston.
Brimmer, Martin, 47 Beacon St., Boston.
Eliot, Mrs. Samuel, 44 Brimmer St., Boston.
Endicott, William, Jr., 10 Mount Vernon St., Boston.
Farwell, Mrs. A. G., 16 Beacon St., Boston.
Forbes, John M., 30 Sears Building, Boston.
Gray, Hon. William, 20 Mount Vernon St., Boston.
Lawson, Rev. Albert G., 41 Temple Place, Boston.
Little, James L., 2 Commonwealth Ave., Boston.
Lincoln, D. F., Boston.
Lodge, Mrs. J. E., 31 Beacon St., Boston.
Pierce, Hon. Henry L., 158 State St., Boston.
Robeson, William R., 212 Beacon St., Boston.
Sanborn, F. B., Concord.
Sanborn, Mrs. Louisa L., Concord.
Wigglesworth, Edward, M.D., 79 Boylston St., Boston.
Wolcott, Roger, 53 Tremont Street, Boston.

New York.

Cole, William A., 41 Broad St., New York City.
Dike, Henry A., New York City.
Dodge, William E., Jr., 11 Cliff St., New York City.
Dodge, Charles C., New York City.
Field, David Dudley, 4 Pine St., New York City.
Field, Cyrus W., New York City.
Herrman, Mrs. H., 59 W. 66th St., New York.
Hewitt, Abram S., 17 Burling Slip, New York City.
James, D. Willis, New York City.
Letchworth, W. P., Portageville.
Libbey, Jonas M., 47 Park Ave., New York City.
Pierrepont, Edwards, New York City.
Stokes, Anson P., 54 Wall St., New York City.
Stokes, Thomas, 54 Wall St., New York City.
Villard, Mrs. Henry, New York City.
Ward, J. Q. A., 9 West 48th St., New York City.
Ware, William R., Columbia College, New York City.
Wolcott, Miss Ella L., Elmira.
Young, J. Edward, New York City.

OTHER STATES.

W. G. Hammond, St. Louis, *Missouri.*
Prof. Goldwin Smith, Toronto, *Can.*
Francis Wayland, LL.D., New Haven, *Conn.*
J. W. Hoyt, Cheyenne, *Wyoming.*

HONORARY AND CORRESPONDING MEMBERS.

In America.

Miss Elizabeth P. Peabody, Jamaica Plain, Mass.
Henry Barnard, LL.D., Hartford, Conn.
Moncure Daniel Conway, Esq., New York, N.Y.
Major-Gen. O. O. Howard, Portland, Ore.
Edmund A. Meredith, Esq., Wellington St., East, Toronto, Can.
Hon. Domingo F. Sarmiento, Buenos Ayres.
Lewis A. Sayre, M.D., 795 Broadway, New York.
Prof. Daniel Wilson, Toronto, Can.

In Great Britain and Ireland.

Thomas Hughes, M.P., London.
Sir Walter Crofton, The Close, Winchester.
Prof. J. E. Thorold Rogers, M.P., Oxford.
Lord Radstock, London.
Miss Frances Power Cobbe, 24 Cheyne Walk, London, S.W.
Henry Dunning McLeod, Esq., Oxford and Cambridge Club, London.
Alfred Field, Esq., Birmingham.
Thomas H. Barker, Esq., Manchester.
G. W. Hastings, Esq., M.P., London.
Henry W. Acland, M.D., F.R.S., Oxford.
Miss Edith Simcox, London.
Miss Louisa Innes Lumsden, Glenbogie, Rhynie, Scotland.
Herbert Spencer, Esq., London.
Miss J. Frances Dove, St. Andrews, Scotland.
Lord Hobhouse, 15 Bruton St., London.
Prof. James Bryce, M.P., London.

In France.

M. Jules Simon, Paris.
M. Emile Müller, Paris.
M. Joseph Garnier, 14 Rue Richelieu, Paris.
M. August Laugel, 19 Rue de la Ville l'Evêque, Paris.
M. Emile Cacheux, Paris.
M. Emile Trelat, Paris.
M. F. Buisson, Paris.
M. Emil Levasseur, Paris.
Dr. Thomas W. Evans, Paris.

In Germany.

Dr. Ernest Engel, Royal Statistical Bureau, Berlin.
M. Arthur Raffalovich, Frankfort.

In Italy.

Signor Martino Beltrani-Scalia, Rome.
Prof. C. F. Gabba, Pisa.
Princess Hélène Koltzoff Massalsky, Villa d' Istria, Florence.
Prof. Alberto de Errera, Cavaliere della Corona d' Italia, Venice.

In Switzerland.

Prof. Charles Secrétan, Lausanne.

In Hungary.

M. E. Horn, M.P., Budapest.

In Holland.

Dr. W. F. M. Gori, Amsterdam.

In Belgium.

M. P. Buls, Brussels.
M. Van der Rest, Brussels.

PUBLICATIONS OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

Journal of Social Science. Containing the Transactions of the American Association. Nos. I.–V., 8vo, paper, each $1.50. Nos. VI.–XXVII., each $1.00.

CONTENTS OF NUMBER TWO.—Current Record of the Association. I. Immigration—Frederick Kapp. II. The American Census—James A. Garfield. III. The Mode of Procedure in Cases of Contested Elections—Henry L. Dawes. IV. The Public Charities of the State of New York—Theodore W. Dwight. V. The Public Libraries of the United States—Ainsworth R. Spofford. VI. The Science of Transportation—Joseph D. Potts. VII. Vaccination—A Report presented by Francis Bacon, William A. Hammond, and David F. Lincoln. VIII. The Election of Presidents—Charles Francis Adams, Jr. IX. Life Insurance—Sheppard Homans. X. The Administration of Criminal Justice—George C. Barrett. XI. Health Laws and their Administration—Elisha Harris. XII. An International Code—D. D. Field. XIII. General Intelligence. XIV. Constitution. XV. List of New Members. XVI. List of Works relating to Social Science published in 1869.

CONTENTS OF NUMBER THREE.—I. Public Parks and the Enlargement of Towns—F. L. Olmsted. II. Art Education in America—C. C. Perkins. III. Civilization and Health—Francis Bacon. IV. American System of Patents—S. A. Duncan. V. Nature and Sphere of Police Power—T. D. Woolsey. VI. Legislation and Social Science—E. L. Godkin. VII. Representation of Minorities—D. D. Field. VIII. Relations of Business Men to National Legislation—H. A. Hill. IX. Houses in the Country for Working Men—G. B. Emerson. X. Minority Representation in Europe—Thomas Hare. XI. Application of Mr. Hare's System of Voting to the Nomination of Overseers of Harvard College—W. R. Ware. XII. General Intelligence. 1. Home. 2. Foreign.

NUMBER FOUR is out of print, as well as NUMBER ONE.

CONTENTS OF NUMBER FIVE.—I. Municipal Government—Dorman B. Eaton. II. Higher Education of Women—T. W. Higginson. III. Restoration of the Currency—Joseph S. Ropes. IV. Some Results of the Census—Francis A. Walker. V. Public Vaccination—F. P. Foster. VI. The International—David A. Wasson. VII. Legislation in Relation to Pharmacy—G. F. H. Markoe. VIII. General Intelligence.

CONTENTS OF NUMBER SIX.—General Meeting at New York. I. Opening Address—George William Curtis. II. The Work of Social Science in the United States—F. B. Sanborn. III. Financial Administration—G. Bradford. IV. Conference of the Boards of Public Charities. V. Pauperism in the City of New York. VI. The Farmers' Movement in the Western States—Willard C. Flagg. VII. Ocean Lanes for Steamship Navigation—Prof. B. Peirce. VIII. Rational Principles of Taxation—David A. Wells. IX. American Railroads—Gardiner G. Hubbard. X. Reformation of Prisoners—Z. R. Brockway. XI. The Deaf-mute College at Washington—Edward M. Gallaudet. XII. The Protection of Animals—George T. Angell. XIII. American Finance—Prof. W. G. Sumner.

CONTENTS OF NUMBER SEVEN.—I. Private Property upon the Sea—Rev. Dr. Woolsey. II. Conference of Boards of Health. III. (School Hygiene)—Drs. D. F. Lincoln and A. L. Carroll. IV. Tent Hospitals—Dr. J. F. Jenkins. V. National, State, and Sectarian Universities—A. D. White and Dr. McCosh. VI. Free Lending Libraries—W. W. Greenough. VII. The Young Men's Christian Association—Cephas Brainard. VIII. Ocean Lanes. IX. Prison Reform in Europe and America—Dr. Wines and F. B. Sanborn. X. Social Science Record. XI. Conference of Boards of Charities.

CONTENTS OF NUMBER EIGHT.—I. The Production and Distribution of Wealth—David A. Wells. II. The Work of Social Science—F. B. Sanborn. III. Progress in International Law—J. B. Angell. IV. The Experiment of Civil Service Reform—Dorman B. Eaton. V. The Treatment of the Guilty—W. G. Eliot. VI. Health in Schools—Drs. D. F. Lincoln, J. J. Putnam, etc. VII. Financial Policy of England and the United States—G. Bradford. VIII. Limitations of Judicial Power—Emory Washburn. IX. Life Insurance for the Poor—Elizur Wright and Sheppard Homans. X. Legal Education—W. G. Hammond. XI. The Detroit Meeting.

CONTENTS OF NUMBER NINE.—I. Social Science in Theory and Practice—F. B. Sanborn. II. The Silver Question—W. Stanley Jevons. III. The Silver Question—B. F. Nourse. IV. Savings Banks—John P. Townsend. V. Local Taxation—William Minot, Jr. VI.

Industrial and Social Aspects of the Southern Question — W. L. Trenholm. VII. Education in the Southern States — T. M. Logan. VIII. The Navigation Laws of Great Britain and the United States — Hamilton A. Hill. IX. The Tariff Question — Horace White. X. Custom House Forms — Henry D. Hyde. XI. State and Municipal Government — Samuel Bowles. XII. Municipal Economy — Daniel L. Harris.

CONTENTS OF NUMBER TEN.— Transactions of the Association, 1879. I. American Education, 1869–79. Annual Address of President Gilman. II. The Method of Study in Social Science — William T. Harris. III. Report of the Department of Education — Mrs. I. T. Talbot. IV. The Voting of Women in School Elections — A. P. Peabody. V. Relations of Christianity to the Common Law — M. B. Anderson. VI. The Place of the Practical Man in American Public Affairs — Hamilton Andrews Hill. VII. Chinese Immigration — S. Wells Williams. VIII. The United States and the Declaration of Paris — Theodore S. Woolsey. IX. Recent Changes in our State Constitutions — Simeon E. Baldwin. X. The Policy of Patent Laws — Frederic H. Betts. XI. The Sewerage of the Smaller Towns — George E. Waring, Jr. XII. Industrial Arbitration and Conciliation — Joseph D. Weeks.

CONTENTS OF NUMBER ELEVEN.— Report of the Annual Meeting, 1880. List of Members. I. Southern Questions: 1. The Negro Exodus from the Gulf States — Frederick Douglass. 2. The Emigration of Colored Citizens from the Southern States — R. T. Greener. 3. Colored Schools in Virginia — Mrs. Orra Langhorne. II. Recent Changes in the West — Robert P. Porter. III. A Report on Protection from Casualties in the Use of Machinery — Professor William Watson. IV. International Coinage — Robert Noxon Toppan. V. Social Economy Papers: 1. Report of the Department of Social Economy — F. B. Sanborn. 2. The Care of Poor and Vicious Children — Charles L. Brace. 3. Social Economy in Illinois — Mrs. Harbert. 4. Co-operative Distribution — William A. Hovey. 5. Co-operation in England — James Samuelson. Saratoga Papers of 1877: 1. Extradition — Sheldon Amos. 2. Graduate Courses at Law Schools — Professor S. E. Baldwin.

CONTENTS OF NUMBER TWELVE.— Professor Peirce's Cincinnati Address: The National Importance of Social Science in the United States. President Gilman's Opening Address. Report of the General Secretary, by F. B. Sanborn. Report of the Treasurer and Publication Committee: Professor Wayland and F. B. Sanborn. Papers of the Education Department: I. Report on Kindergarten Schools — Professor Harris, Mrs. Talbot. II. The Relation of the Public Library to the Public Schools — Samuel S. Green. III. Educational Progress in England — Miss Edith Simcox. IV. Home Life in some of its Relations to Schools — Miss Mary W. Hinman. V. The American Newspaper and American Education — Dr. J. M. Gregory. Libel and its Legal Remedy — E. L. Godkin. Papers of the Social Economy Department: I. Associated Charities. A. The Principle and Advantage of Association in Charities — Rev. D. O. Kellogg. B. General and Special Methods of Operation — Rev. O. C. McCulloch. C. The Need and Work of Volunteer Visitors — R. T. Paine, Jr. D. The Care and Saving of Neglected Children — Miss Anna Hallowell. II. The Principle of Volunteer Service — Mrs. Florence Bayard Lockwood. III. The Recreations of the People — George B. Bartlett. IV. The Justifying Value of a Public Park — F. L. Olmsted. Constitution, Officers, and Members of the Association.

CONTENTS OF NUMBER THIRTEEN.— Order of Business at Saratoga in 1881. Papers of the Jurisprudence Department: I. Pensions in a Republic — Frederick J. Kingsbury. II. Modern Legislation touching Marital Property Rights — Henry Hitchcock, LL.D. III. The German Socialist Law of Oct. 21, 1878 — Henry W. Farnam. IV. The Study of Anatomy, Historically and Legally Considered — Edward Mussey Hartwell, M.A. Papers of the Health Department: I. The Treatment of Insanity in its Economic Aspect — Walter Channing, M.D. II. Adulterations in Food — Professor S. W. Johnson. Debate on Adulterations. Remarks of George T. Angell. General Papers: I. Christianity and the Relations of Nations — Charles L. Brace. II. Indeterminate Sentences and their Results in New York — Z. R. Brockway. III. Changes in American Society — Julia Ward Howe. Appendix; Infant Development.

CONTENTS OF NUMBER FOURTEEN.— I. The General Meeting of 1881. Death of President Garfield. II. Opening Address of Professor Wayland, President of the Association. III. The Threefold Aspect of Social Science. Report of the General Secretary, F. B. Sanborn. IV. Civil Service Reform, an address by George W. Curtis. V. The American Newspaper — Charles Dudley Warner. VI. Prohibitory Legislation — P. Emory Aldrich. VII. Province of Legislation in the Suppression of Intemperance — F. W. Bird. VIII. License and Prohibition — Rev. Leonard W. Bacon. IX. The Moral Statistics of the United States — Dr. Woolsey. X. Divorce Laws — Professor W. C. Robinson. XI. Lax Divorce Legislation — Rev. S. W. Dike. XII. Address on Health and Insanity — Walter Channing, M.D. XIII. Women Practising Medicine — Dr. E. F. Pope. XIV. Constitution, List of Members, Officers, and Committees of the Association.

CONTENTS OF NUMBER FIFTEEN.— I. Papers on Infant Development — Professor Harris, Mr. Darwin, Mr. Alcott, Dr. Preyer, M. Taine, etc. II. Report of Mrs. Talbot. III. Religious and Moral Education of Children — Professor G. S. Hall. IV. Treatment of Incipient Insanity — Mary Putnam-Jacobi, M.D. V. Debate on Insanity — Professor W. T. Harris, Dr. Channing, F. B. Sanborn, etc. VI. Papers on Building Associations — R. T. Paine, Jr., and Addison B. Burk. VII. Homes for the People in Washington — John Hitz. VIII. Art in its Relation to the People — Martin Brimmer.

CONTENTS OF NUMBER SIXTEEN.— Papers of the Health Department: I. Address of the Chairman — Walter Channing, M.D. II. The Michigan Plan for Boards of Health — Dr. Henry B. Baker. III. The Health Care of Households with Special Reference to House Drain-

age — Ezra M. Hunt, M.D. IV. The Health of Boys' Boarding-schools — D. F. Lincoln, M.D. V. The Health of Criminal Women — Eliza M. Mosher, M.D. VI. The Management of Chronic Inebriates and Insane Drunkards — Albert N. Blodgett, M.D. VII. Remarks of Mr. Parker on Boards of Health. VIII. International and National Relief in War — Miss Clara Barton. Papers of the Social Economy Department: I. Address of the Chairman — F. B. Sanborn. II. The Factory System as an Element in Civilization — Carroll D. Wright. III. Early Factory Life in New England — Mrs H. H. Robinson. IV. American Factory Life — Miss Lucy Larcom. V. Ten Hours — Rev. Jesse H. Jones.

CONTENTS OF NUMBER SEVENTEEN. — I. Introduction. II. Address — Rev. A. D. Mayo, on National Aid to Education. III. Address — President Angell, on Diplomatic Relations between China and the United States. IV. Papers of the Jurisprudence Department, namely: 1. Professional Ethics — Theodore Bacon. 2. Local Self-government — Edward W. Bemis. 3. Disfranchisement for Crime — James F. Colby. 4. A Plan for Extinguishing Crime — Edwin Hill. 5. Punishment for Certain Crimes — H. A. Hill. V. Address — Professor W. T. Harris. VI. The Darwin Commemoration. VII. A Paper on the Progressive Spelling — Rev. H. L. Wayland. VIII. Miscellaneous Matters.

CONTENTS OF NUMBER EIGHTEEN. — I. Introductory. II. Opening Address — Professor Wayland. III. Report of the General Secretary — F. B. Sanborn. IV. Papers on Health and Education: 1. Health and Social Science — Dr. E. M. Hunt. 2. Physical Training in Homes and Training-schools — Professor D. A. Sargent. 3. True Higher Education — W. C. Thomas. 4. Causes of Insanity — Dr. W. Channing. 5. Inebriety in Women — Dr. L. M. Hall. 6. The Disease of Inebriety — Dr. T. D. Crothers. 7. House-building and Drainage — G. E. Waring, Jr. 8. Moral Education in Schools — Professor W. T. Harris. V. Papers of the Jurisprudence Department: 1. Assertion of Rights — J. T. Platt. 2. International Ethics — E. M. Gallaudet, LL.D. 3. Legal History of the Telephone — M. F. Tyler. VI. Addresses and Special Papers: 1. American Civil Service System — J. M. Gregory, LL.D. 2. Public Libraries — J. M. Larned. 3. Religion of India — Mr. Mozoomdar. 4. New Methods of Study in History — H. B. Adams. VII. Papers of the Social Economy Department, namely: 1. Race Problems in the United States — Professor C. A. Gardner. 2. Relations between Employers and Employed — Mrs. S. K. Bolton. 3. Child-helping in New York — C. L. Brace. 4. Prison Labor.

CONTENTS OF NUMBER NINETEEN. — I. Introductory. II. Report of the Secretary — F. B. Sanborn. III. Papers of the Finance Department: 1. Scientific Basis of Tariff Legislation — C. D. Wright. 2. Financial Standing of States — Henry C. Adams. 3. The Rate of Wages — Edward Atkinson. 4. Industrial Education — F. A. Walker. IV. Papers of the Jurisprudence Department. 1. Conflict of State Laws — Eugene Smith. 2. The Pardoning Power — F. Wayland. 3. Threefold Basis of the Criminal Law — F. H. Wines. V. Hebrew Charities — Mary M. Cohen. VI. Constitution and Members of the Association.

CONTENTS OF NUMBER TWENTY. — I. Papers of the Education Department: 1. The Function of Latin and Greek in Education — Dr. W. T. Harris. 2. Problems in Education — Mrs. Emily Talbot. 3. Athletic Education — Dr. Edward Hitchcock. 4. Physical Education in Women's Colleges — Mrs. R. S. Bryan. 5. The Higher Education of Women in Great Britain and Ireland — Miss Lumsden. II. Additional Papers of the Jurisprudence Department: 1. The Law for the Commitment of Lunatics — Mr. F. H. Wines. 2. Lunacy Legislation in the North-west — Professor A. O. Wright. III. Papers of the Health Department: 1. Dr. Sargent's Summary. 2. Tenement Houses — Dr. Lucy M. Hall. IV. The Civil Service in States and Cities — Edward M. Shepard.

CONTENTS OF NUMBER TWENTY-ONE. — 1. President Eaton's Address, 1885. 2. Business and Debates of 1885. 3. Synopsis of Social Science Instruction in Colleges. 4. Methodical Education in Social Science — F. B. Sanborn. 5. Social Science and Social Conditions — W. T. Harris. 6. The Unnamed Third Party — H. L. Wayland. 7. Socialism and State Action — Edward W. Bemis. 8. Labor Unions under Democratic Government — D. M. Means. 9. Influence of City Life on Health and Development — Dr. G. Peckham. 10. The Health of American Cities — C. F. Wingate. 11. The Physical Training of Women — Dr. L. M. Hall. 12. The Constitution and National Development — E. V. Reynolds. 13. Land and Law as Agents in Educating Indians — President Gates. 14. Arbitration of Labor Disputes — Rev. W. Gladden. 15. The Place of Art in Education — Thomas Davidson. 16. The Relation of the Drama to Education — W. O. Partridge. 17. Child-life in City and Country — C. D. Kellogg. 18. City and Country Schools — W. M. Beckner.

CONTENTS OF NUMBER TWENTY-TWO. — Conference of Alienists. Business and Debates of 1886. Notice of Deceased Members. I. Papers of the Department of Education: 1. The Definition of Social Science and its Classification — W. T. Harris. 2. Social Science Instruction in Colleges — Mrs. Emily Talbot and W. T. Harris. 3. Popular Instruction in Social Science — Carroll D. Wright. II. Papers of the Department of Health. 1. The Nervousness of Americans — Grace Peckham, M.D. 2. Mineral Waters of America and Europe — T. M. Coan, M.D. 3. Rabies and How to Prevent it — Valentine Mott, M.D. 4. Noses — H. Holbrook Curtis, M.D. 5. The Science of Dietetics — Wallace Wood, M.D. III. Papers of the Social Economy Department: 1. Address of the Chairman: Labor and Capital — F. B. Sanborn. 2. Property — Thomas Davidson. 3. Letters of Dr. Abbott and Dr. Wayland. 4. The Right of Property in Land — W. T. Harris, LL.D. IV. Papers of the Jurisprudence Department. 1. Postal Savings Banks — Dr. H. L. Wayland. 2. How to deal with Habitual Criminals — Professor S. E. Baldwin.

CONTENTS OF NUMBER TWENTY-THREE.— Business and Debates of 1887. Address of the President: Problems of the Census — Carroll D. Wright. I. Papers of the Social Economy Department: 1. Address of the Chairman — F. B. Sanborn. 2. Profit Sharing as a Method of Remunerating Labor — F. J. Kingsbury 3. Alfred Dolge and his Experiments — A. Dolge and Ernest Richard. 4. Profit Sharing Historically and Theoretically Considered — G. M. Powell. 5. Labor Organizations — J. G. Brooks. 6. Woman and the Temperance Question — Frances E. Willard. II. Papers of the Jurisprudence Department: 1. The American System of Trial by Jury — D. H. Chamberlain. 2. The Law's Uncertainty — Thomas Thatcher. 3. The Incorrigible — Francis Wayland. 4. Private Corporations and the State — H. A. James. 5. Social Science in the Law of Moses — H. L. Wayland.

CONTENTS OF NUMBER TWENTY-FOUR.— Introductory. Committee on Provident Institutions. Constitution, List of Members, etc. I. Papers of the Health Department: 1. Relation of the Physician to the Community, and of the Community to the Physician — Grace Peckham, M.D. 2. The Function of the Lungs — D. Emery Holman, M.D. 3. Certain Injurious Influences of City Life and their Removal — Walter B. Platt, M.D. 4. The Criminal Type — William Noyes, M.D. 5. Immigration and Nervous Diseases — C. L. Dana, M.D., with Discussion. II. Papers of the Education Department: 1. The Opportunities of America — F. B. Sanborn. 2. Address — T. W. Higginson. 3. Pedagogy in American Colleges — Professor E. J. James. 4. The Education of Women — Arthur Gilman.

CONTENTS OF NUMBER TWENTY-FIVE.— General Meeting of 1888. President Adams on Higher Education. I. The Growth and Purposes of Bureaus of Statistics of Labor — Address of the President, Carroll D. Wright. II. Papers and Debates of the Department of Health: 1. Address on Requirements for a Medical Degree — Dr. H. H. Curtis. 2. How Far can Legislation aid in Maintaining a Proper Standard of Medical Education? — W. A. Purrington. 3. The Value of a Liberal Education Antecedent to the Study of Medicine — Sylvester F. Scovel. Remarks of Dr. Grace Peckham. 4. Unsanitary Conditions in Country Homes — Dr. Lucy M. Hall. 5. The Working-women of New York: Their Health and Occupations — Elizabeth Stow Brown, M.D. 6. The Struggle for Subsistence: How can it be most Efficiently Aided? — Henry Dwight Chapin, M.D. III. Papers of the Finance and Social Economy Departments: 1. Address of the Chairman — F. B. Sanborn. 2. Savings Banks in the United States — John P. Townsend. 3. Co-operative Building Associations. Report of the Special Committee. 4. Report on Savings Banks and Building Associations of Illinois — Professor J. W. Jenks. 5. Co-operative Building and Loan Associations in the State of New York — Seymour Dexter, Esq. 6. The Dangerous Side of Building Associations — Mr. C. F. Southard. 7. Notes on Provident Institutions in Arkansas, Tennessee, and Texas — Professor Robert T. Hill. 8. Life Insurance — Report of the Committee. Hebrew Provident Institutions. 9. The Early History of School Savings Banks in the United States — J. H. Thiry.

CONTENTS OF NUMBER TWENTY-SIX.— General Meeting of 1889. Report of J. P. Townsend, Secretary. Constitution, List of Members and Publications, etc. I. Papers of the Jurisprudence Department: 1. The Economic Law of Monopoly — President E. B. Andrews. 2. Constitutional Guarantees of the Right of Property — George Hoadly. 3. Education as a Cure for Crime — S. T. Dutton 4. Immigration and Crime — W. M. F. Round. 5. The Dead Hand — Dr. H. L. Wayland. II. Papers of the Education Department: 1. Industrial Training of the Defective Classes. Discussion by President Gallaudet, General Brinkerhoff, Dr. Bryce, F. B. Sanborn, Miss Alice Cooke, etc. 2. Popular Fallacies concerning the Insane — Dr. Pliny Earle. III. Papers of the Social Economy Department: 1. Report on Co-operative Building and Loan Associations. 2. Socialism in England — Percival Chubb.

CONTENTS OF NUMBER TWENTY-SEVEN.— General Meeting of 1890. Constitution, List of Members, etc. The Third Estate of the South — Rev. A. D. Mayo. The Single Tax Debate — Remarks by Samuel B. Clarke, Professor Thomas Davidson, W. L. Garrison, Professor John B. Clark, President E. B. Andrews, Professor E. R. A. Seligman, Louis F. Post, Edward Atkinson, Henry George, Professor W. T. Harris, and James R. Carret.

Sold by DAMRELL & UPHAM, Boston; G. P. PUTNAM'S SONS, New York; and by

F. B. SANBORN, *Secretary*,

CONCORD, MASS.

THE THIRD ESTATE OF THE SOUTH.

AN ADDRESS BY REV. A. D. MAYO, D.D.

(Read September 2, 1890.)

From the beginning of the European settlement even to the present year of our Lord, the most prominent object of interest and observation in what we used to call the Southern States of this Republic has been the relation of the upper and under classes of Southern society,— the slaveholding Anglo-Saxon and the lately emancipated Negro. Not only abroad, but at home, it has scarcely entered into the calculations of statesmen and economists that a great change in Southern affairs was impending that would bring another dominant class to the front. It was known that even in 1860 there were six million of white people in these Southern States who had no immediate connection with slaveholding, and that a number of people, smaller than the present population of Boston, representing, possibly, a population of two million, comprised the ruling class. It was expected that this middle class would be felt in arresting the movement for secession in 1861. And I believe that a decided majority of these people had neither the desire nor intention of striking for a new nationality. But, with the exception of the action of West Virginia and the stubborn loyalty of the mountain populations of the central South, this expectation was disappointed. We met these people on the battle-field through four dismal years, where they earned a reputation for good fighting which has made the name of an American soldiery illustrious.

But now, like a mighty apparition across the Southern horizon, has arisen this hope or portent of the South,— the Third Estate,— to challenge the authority of the old ruling class, and place itself where the "plain people" of every Northern State was long ago established, as a decisive influence in public affairs. South Carolina, the head and front of the old South, is now swept by a political revolution as radical as the emancipation of the slaves in 1865. Texas, where the old order never got complete foothold, is now passing under the same control, so easily that it is not half-understood what weighty concerns are involved in the coming political

movements of this growing State. Other States, especially on the Gulf, are rent by the same movement from below. It is evident that this is no surface or temporary affair. Its present political and financial theories will be largely modified by the rough discipline of responsible power. But the movement is in the line of American civilization, and, however checked or misdirected for the time, will finally prevail.

The wise observer of Southern affairs will greatly mistake if he insists on the exclusive observation of the old conflict of races and the political condition of the Negro. For the coming decade, the place to watch the South is in this movement of the rising Third Estate. What it demands and what it can achieve in political, social, and industrial affairs; what changes can be wrought in itself by the great uplifting forces of American civilization,— by education, including the influence of the family, the Church, and the school,— on these things will depend the fate of this important section of our country for years to come. And on the outcome of this movement hangs the near future of the race question,— whether the swarming millions of colored citizens in these sixteen States will gradually reach their fit position in the body politic, or the whole South be plunged into the horrors of a race war, which will once more demand the strong arm of the nation to save that section from suicide.

The present essay — the Third Estate of the South — is an honest attempt to give my own opinions concerning this, one of the most important movements in the history of the Republic. The assumption of infallible wisdom and the ventilation of wholesale theories, North and South, in the discussion of Southern affairs, is the misery of our public life. A virtual residence of ten years in this region, including all the sixteen States, with good opportunities for observation, has deepened the impression that, of all the social and civic puzzles that confront the American Social Scientist and statesman, no knot is so tangled, so difficult to be undone, so dangerous to be cut by the sword, as this. To-day the South, as a section, has passed into a permanent minority of sixteen of the forty-four States. But it is still possible to array these States again in a conflict that would inflict a wound on the Southern member through which the Republic would bleed to death. It is "easy as preaching" to embroil and exasperate whole commonwealths, great classes and races, in a permanent misunderstanding that not even another Washington or Lincoln

could reconcile. Even as concerns the South itself, the question is one of vital interest. The spectacle of the five hundred thousand white people of South Carolina split into hostile clans by a political campaign now foaming on the ragged reef of violence is inexpressibly painful and discouraging. I shall not try to deal with this question by the ambitious methods of grand analysis, abstract theorizing, or inflated prophecy. If I can cast a little sidelight upon this procession, as it moves on its twilight path, it may not be in vain that I occupy the time of the reader.

In the European sense, there never was a Southern aristocracy. The descendants of the few European families of the favored class who drifted to the colonies never had a perceptible influence after the War of the Revolution. The abolition of all special privileges reduced the superior colonial class to the condition of the leading class in a republic of white men. There was a social "upper ten," in the original Southern Atlantic colonies, that held on indefinitely. But that largely disappeared, as a family affair, beyond the Alleghanies, where the new leading class made its way upward by personal power and solid service as certainly as in the North-western States.

But, in the American political sense, there was and has been, up to the present time, a dominant class in this portion of the country more powerful for all the issues of public life than any order of nobility in Europe since the French Revolution. It was, primarily, a combination of land-holders; practically, an aristocracy of the dollar. From the peculiar condition of the country and its monopoly of certain industrial products, the people of the South adopted and tied itself to the system of slave labor, cast off by the North as unprofitable, impolitic, and dangerous at the formation of the Republic. Whatever of anti-slavery sentiment — and there was a great deal — lingered in the early history of these States was swept down stream by the gathering tide of the dominating industrial and political interests. So it came to pass, in time, that a great combination of men, separated from each other by abysses of social, religious, and educational repulsions, found common cause in the protection of slavery in the old and its introduction to the new Southern and South-western States. The diaries and correspondence of Judge Story and John Quincy Adams, during their early years in Washington, are full of this observation of the formidable power of this combination,— its skilful handling of Congress, its invariable success in every conflict with a half-conscious and divided North.

And, without indorsing the exaggerated rhetoric of our Southern college Commencements concerning the splendor of this class during "the Golden Age" of Southern society, we may grant to this combination the praise of remarkable ability and, on some lines, of broad foresight in national affairs. It was composed almost wholly of the ablest, most politic and persistent class in modern history,— the British upper-middle class,— modified by the influences and interests of its peculiar position on the edge of Christendom. It made all things subordinate to the chief end of favoring the Southern ambition to become the ruling power of the country. The professional classes became its spokesmen and allies. The leisure of its landed proprietors fostered a universal ambition among its young men for political activity as the be-all and end-all of life. Its schools were a reproduction of the British system of education a century ago,— universities, colleges, and academies for the upper white class, more completely under the administration of the Protestant clergy than the schools of Catholic Europe are now under the control of that astute priesthood, well adjusted to lift up the promising youth below to companionship with his betters, and elbow off the "common herd" into a wide-spread illiteracy. Its women, among the most brilliant and capable in the world, were no such tribe of imbeciles and idlers as we fancied in the North. The Southern matron in her plantation life was one of the most overtaxed and devoted working women of her sex. Outside this domain female culture gravitated to the social ability which gave her the lead at Washington, and till a late period made her the nation's best social foot put foremost on the shores of Europe.

This political aristocracy, in all vital affairs, governed the Republic till it was moved to rise up and divide the nation in 1861. It instigated and brought on the condition of war against the Indians, Great Britain, and Mexico, by which the country was distracted through its first seventy years. It was the author of the magnificent scheme of the expansion of territory which gave us the empire of Louisiana, Florida, Texas, the Pacific Coast,— all the additions to our territory except the latest purchase, Alaska. It led in the settlement of the West, following the sagacious policy of Washington, whose eye was always glancing over to the wilderness beyond the Alleghanies. Tennessee and Kentucky were in a blaze of Indian border war, while the North-west slumbered almost undisturbed.

It is difficult to understand why a class so able and astute in many ways was led on to the hazardous experiment of dividing the Union in 1860. With the Constitution on its side, with an indefinite power of Congressional obstruction, it could have kept slavery for a long generation, and made the country pay the cost of a modified system of emancipation. The reasons seem to be found in the absorption of a powerful society, engrossed in the work of self-preservation, in a strangely isolated position. Pushed off to the border of civilization with only a half barbarous Mexico and a boundless wilderness on the South-west, and a vast and lonely seaboard all around, shut off by its own theory and purpose from contact with the rising tide of progressive modern life, its literary, professional, and social influences all captured and held in subjection by the political intolerance which is the most unrelenting form of tyranny, it was not strange that its group of accomplished statesmen fell into the delusion, not only of their own sectional invincibility, but honestly believed that their political allies in the North would, in the last event, consent to their demand of virtual permanent control of the general government, or a separation on sectional lines. A distinguished citizen of Boston, during the summer preceding Mr. Lincoln's election, was for a time in daily confidential communication with Jefferson Davis. He reports that he found his distinguished acquaintance completely possessed with the idea of the military and civic superiority of the South, and the willingness of the dominant party in the North to consent to whatever it should demand.

How this came out we all know. The world has acknowledged the prodigious ability and matchless devotion with which the dominant class went through this desperate programme, to the terrible end of its own destruction. Its military commanders have furnished many forcible and picturesque and one noble figure to American history. Its statesmanship, now disparaged, was probably as competent as a cause so at odds with the trend of modern civilization would admit. But we do not yet recognize fairly the great services rendered to the South and the nation, later on, by this class, even in the demoralized state in which it was left by the war, when not one in ten of its families was found upon or has since stood on a solid financial footing. Its young men were scattered to the South-west, to the North-west, to the growing cities, leaving the open country in charge of a class that, in the old time, had little influence in affairs. Its women gathered up the wrecks

of a great destruction, in true American style; and to-day the young women of the better sort of Southern families are the hope of the country, rehabilitating the homes, the soul of the Church, the best school-teachers, the leaders in the temperance reform, on the lookout for all industrial opportunities that can be used.

The leaders in the war naturally became the leaders of reconstruction politics. And, whatever may be the verdict of history concerning the way in which the eleven ex-Confederate States have been placed in line to receive a share of the progressive life of the country, the display of ability has fully borne out their old reputation. The South to-day owes about all it has of order and law, the common school for all classes and both races, the restoration of its religious and educational affairs, to the administration of this class. The great obstacle to the progress of the Negro is not his old master class; for among these people are often found the wisest and most Christian views concerning the development of their old bondmen, and an amount of personal sacrifice and patience that only a constant observer can appreciate. I do not know what New Boston, with her five hundred thousand people, would do if suddenly overwhelmed by an avalanche of the seven hundred thousand South Carolina negroes, marshalled by our redoubtable friend, General B. F. Butler, in a solid colored contingent, to capture the city government, administer its vast interests, handle its twenty million debt, and, in public affairs, represent it to the world. I fancy the "weight of the meeting" would there prevail, by some of the numerous methods by which an Anglo-Saxon community everywhere, in the end, manages to put inferiority on the back seat and land the management of vital affairs in the upper story.

But it was inevitable that this long lease of power by the Southern dominant class should come to an end. In New England and New York, the aristocratic States of the old North, this change was gradually wrought,— by the educational influences that prepared the humbler classes, native or foreign born, for the responsibilities of power. Eighty-five per cent. of the men worth a hundred thousand dollars or more, in these States, began with nothing but this outfit. But in the South the progress of the Third Estate has been slow: indeed, until the past twenty years, it had hardly begun. But all things hasten, even in the piney woods or mountain realms of our Southland; and now, under the simple name of a "Farmers' Alliance," this mighty army of the common

people has been revealed, like a frowning mountain world uncovered by a rising mist. Already it may be predicted that the old order, as far as it depended on the European qualities of family and class training, has gone by. Hereafter, the South follows the North in the rush to the front of the fittest who survive. And the contest for place will be on industrial lines there as here.

For a time to come I believe the Negro question is to be held in partial subordination by this great uprising of the Third Estate. Certain it is that the attempt to lift the Negro citizenship of the South out of its natural place, the rear column of its civilization, will be a stupendous blunder. The child in a family, however bright and promising, can only play at being the equal of his elders; though he can make a big disturbance, break the harmony, and mar the peace of the household. To suppose that eight millions of citizens, in the condition of our Southern Negroes, twenty-five years out of personal slavery, can by any device be wrenched from their present position and shot ahead of the twelve millions of plain white people who have been on the ground for two hundred years, and must become the dominant power of the South for generations to come, is only to indulge in the dream of an enthusiast.

But whether the white man of the Third Estate can rid himself of the old theories of race and caste, and adopt the American idea that all men shall be fairly tested by what they can do, depends on many contingencies. Is it possible or probable, in a period sufficiently brief to avoid the danger of a disastrous race conflict, that this vast constituency can be brought over to the practical American view of giving to every child the great American chance in life? I do not know. But I greatly hope; and the sources of my hope, or some of them, I now declare.

When the history of the South descends from the realm of romance, where it still lingers, to the solid ground of fact, it will be seen how absurd everywhere outside the domain of legend is the impression of a radical difference between its original population and the old North-east. Nobody pretends that the South-west, beyond the Alleghanies, was peopled by a line of "gentler" descent than the North-west. About all the South had to show in Revolutionary days of great statesmanship and eminent patriotism was, like the similar class in the North, a descent from the respectable middle estate of Great Britain. But, when we turn

to the Third Estate,— always the majority, and now rising to the head and front of the new South,— we find the source of its power, as in the North, in the mixture of populations from a dozen sorts of vigorous European people. The Catholic Churchman and dissenting Englishman of various social degrees, the Scotch and North Irish Protestant, the early German of the Valley of Virginia, the Huguenot of South Carolina, the Highlander, Hebrew, and other miscellany of old Georgia, the Creole, Frenchman, and Spaniard, in Louisiana, all went into the seething cauldron of the early colonial life. Up to a generation before the war came in a steady immigration of excellent people from New England and the Middle States. I rarely visit a town in the five old Atlantic commonwealths that I do not find the descendants of these people,— always glad to renew the old-time associations with home. The accident of a change of residence alone prevented the Rhetts of South Carolina from being a Boston, and the later Winthrops of Massachusetts a Charleston, family. Along with this uniformly good stock drifted in at an early date a baser element, brought to the colonies on indenture,— the lower sort of the English cities, whose descendants even now in Maryland and Delaware rank low in the social scale. The growing power of slavery intensified the separation of the respectable sort from the common lot. The illiteracy of whole regions of the country wrought its perfect work in the "poor white trash,"— resembling the Northern tramp,— except that he is not only too shiftless to work, but too lazy to tramp.

How the strange population of the great central mountain world — near two millions at present — was formed nobody seems to know. This region was a mysterious "no-man's-land" till the enterprise of the last twenty-five years revealed it, with all its natural sublimity and beauty and its industrial importance, to an astonished world. Perhaps from the Revolutionary Tories of the adjacent States, from criminals, outcasts, eccentrics, and broken-down people in general, with a sprinkling of more ambitious blood, was made up that people which, even now, seen among the mountains overlooking the valley of Virginia, but better observed in East Kentucky, Tennessee, Western North Carolina, and Northern Georgia, sends forth a louder cry for the missionary of civilization than any portion of the Republic.

So far as variety of material is concerned, the old colonial South had an equal mixture of blood with the old North. Of late

the trend of European immigration has not taken a Southern direction, and the per cent. of foreign-born population in all the Southern States east of the Mississippi is very small. A most interesting fact for the historical inquirer is the explanation of the origin of the Southern white people, and the romance of the reality will eclipse the glamour of rhetorical mist in which the origin of this section has been involved.

So it has come about that the present population of this grade in the South is far more homogeneous than in the North. The rough training of the pioneer life welded these various elements into one people. Even the Louisiana Creole is yielding. A leading merchant of New Iberia, the heart of the Teche district, told me that twenty years ago only one in five of his country customers attempted to speak English; while now only one in five is compelled to trade in French. A brisk colony in the North-west has invaded the prairies of South-western Louisiana; and a Congregational College, with a Yankee President, is established on the old domain of the Padres. Yet there are still great differences in education and efficiency in the different elements of this people. The coast country, including the immense piney woods empire, still produces a considerable population of a sort less hopeful than any other of whatsoever "previous condition." The lovely Piedmont region, surrounding the great central mountain realm of the old South, has a farming population greatly resembling the New England country people of my boyhood. The States beyond the Mississippi — Missouri, Western Arkansas, and Texas, the new South-west — have received more immigration since the war than all the rest of the South: of the best and common sort of its own; somewhat from abroad; from the North-west, whose people seem inclined to edge down into a milder clime; perhaps also a considerable return wave from the crowd that settled Southern Ohio, Illinois, and Indiana in bygone days. It is said a million young men from the Southern country districts have gone to the cities, the North-west and the South-west, since 1865. They have left on the ground, in some portions of the old South, a white population, so far as the men are concerned, inferior to the old-time occupants,— less capable of reclaiming the country, less inclined to deal fairly with the colored folk.

But it is almost hopeless to draw a diagram of the Southern Third Estate as it now exists. Nobody, even to the "manner born," can do it to the satisfaction of the Southern people; for

the pride of State, locality, sect, and social condition — what Mr. Breckinridge calls "the provincial flavor" — are "solid" against any decided estimate of matters so delicate. Before the war, lines were more sharply drawn. While alert to capture and lift up to companionship and position the rising talent of the lower class, the old-time ruling set drew hard and fast lines between themselves and the ordinary non-slave-holding people. My first experience of South Carolina was in 1856,— in a stage-coach bound for the Catskill Mountain House, New York, filled with a brilliant Charleston group, chiefly ladies. Completely ignoring my presence, the only man of the company entertained his fair companions all the way up by his adventures on a tour through the upper counties of "his nation," talking of the people there, amid peals of laughter, in a way that reminded one of Dr. Johnson and the *literati* of London a century ago, defining a Scotchman as "a good fellow, if caught early." Till the war, a property condition of representation in the South Carolina legislature gave a power to the lowland slaveholders which was used in a way that has come back to plague the commonwealth in the new upheaval of affairs.

The Civil War was the great university of the lower masses of the Southern white people. The Grand Army caught them up in its all-enclosing net; locked them up in its fierce conscription; marched them all over their own country, with occasional visits to Northland, outside and inside a Union prison camp. To a people so preternaturally eager to see and hear and talk, this was a God-send,— the beginning of the blessing that has come to the Southern poor white man equally with his colored brother from the collapse of the Rebellion. The break-up of the old estates, especially in the Gulf region, brought large numbers of these people down to the lowlands as owners of farms. The opening up of Central Florida sent a wave of immigration from the piney woods people that still contests the Northern and Western occupation. The mighty development of the railroad system has remanded the coast country of the Atlantic and Gulf to a secondary place, and brought up the Piedmont region, in which a large number of thriving towns have arisen, and which, with the mining and timber lands, is the seat of the new Southern prosperity. The new South-west is growing almost as fast as the new North-west,— an exception to the old South, outside of special districts.

The marvellous growth in the South, of which we hear so much,

is largely a development of the mining country bordering the mountains, where a number of new towns have sprung up and capital is being invested; the lumber country and special agricultural districts. But much of the old landed realm is still in no condition to be rejoiced over. There are more people at work than of old, black and white. The division of farms has stimulated production. In certain quarters, skilled agriculture is taking the place of the old-time fumbling with the soil. New fields in Florida, Mississippi, and Texas are opening for the culture of cotton, fruits, truck, and staples. The country people are living somewhat better than ten years ago. But the intolerable "lien system," whereby the town merchant practically owns the land and enslaves its occupants, is a dispensation such as afflicts no large body of civilized people besides in our country. How multitudes of good folk can live at all under such a systematic plunder is only accounted for by their moderate demands for living and the impossibility of getting out of the deadlock alive. The attempt of a class of Southern politicians, in the interest of their pet economic theories, to compare the condition of this portion of their people with that of the farmers of New England and the established portion of the West is simply ludicrous to an observer of the different portions of the country. More than half the people in whole regions of the South outside the better class in the cities are compelled to live in a way that is unknown in these States, except to the lower class of the foreign-born, with little outlook for better times. But this country is capable of recuperation by capital, skill, and especially the occupation of small farms by industrious and thrifty people. In time, the better class of the Negroes will come into possession of a great deal of this open country and reclaim it.

It would greatly change the Northern estimate of Southern affairs, could the fact be understood that confronts the traveller through the length and breadth of the Southland,— that through vast regions, even of the older States, the people are living under the conditions of a border civilization. Not a border country in the sense of our new Western frontier,— a vanishing "out into the West," with a furious civilization, armed to the teeth with all the implements of modern progress on its heels. Not the terrible border life that railroad extension and the mining boom make in the new villages extemporized in a howling Southern wilderness. Hundreds of these new towns in the South, where the iron horse reins up and the great steam leviathan wheels round, are a refuge

for the drift and diabolism of the whole surrounding country, which appears regularly, on "dress parade," in the new city. One little metropolis of this sort in East Tennessee has enjoyed the luxury of a hundred murders since it was struck by the "boom." But this is the old-time border life, where people lived far away from each other and the world, with meagre privilege of travel, rarely used, the only town the county seat, and that not often visited. Here is developed an obstinate type of personal independence that stands out, like the iron handle of the town pump, in either sex. But what is not done that can be done in such a life? The man attends to his own little world; defends himself as best he can against wild creatures and wilder men; makes a sharp practical code of the neighborhood, that underlies the law of the land, and is administered far more thoroughly than the latter. These populations, once polarized by the plantation families, which made a centre of superior living, are now often left adrift by the decay of this class and the breaking up of the old order generally. The census of Virginia in 1880 showed not a quarter of a million of her people, even in villages. And, although the growth of what are called "cities" has been more marked during the past ten years, yet, outside of occasional districts, the vast majority of the Southern white people live in an all-out-of-doors style, not easily understood in the crowded communities of the old East and large portions even of the new West.

While this sphere of life is favorable to some of the primitive virtues,—hospitality, good feeling, and sociability,—and to the absence of some of the vices of great cities, yet the dearth of the agencies of the higher civilization is a fact almost incredible, unless experienced. Even Texas, the most prosperous Southern State, has yet no system of roads; and only three thousand of her eight thousand country schools have a school-house over their heads. The appalling loneliness of the vast "Lone Star" Empire has already driven more than a third of its people into villages and cities. But, in the older States, a full half of the people of both races live outside the opportunities for schooling, reading, churching, and the use of a tolerable press,—most of the modern agencies of social uplifting that are the commonplace of the North. The South, in winter, outside the towns, lies under a fearful embargo of mud, which shuts up the people to such a home life as can be enjoyed under the circumstances. The average country school does not last a full four months, is placed at

inconvenient distances, often kept in an unfit school-house,— a peril to the health of the children of the poorer people. Less than sixty per cent. of Southern children in the open country, where three-fourths their whole number live, represents the average attendance on school less than four months in the year. Probably not a hundred "cities" of the South now have a free library, or a good circulating library accessible to the masses of the white people. The city daily journals have a limited circulation away from the towns and railroads; and the country press is too often, at best, feeble and misleading. Thousands of people do not read that, but depend upon common report for news. The significance of the Scripture phrase — "wars and rumors of wars"— is apparent in a community largely dependent upon rumor and what the popular leaders choose to tell of public affairs. A considerable portion of middle-aged men are of the class that obtained little or no schooling during the war and the ten succeeding years, and have come up, a degenerate race from their parents, to shoulder the weighty responsibilities of the present. Here is the seat of the Negrophobia that often blazes out into violence and outrage. It is not the deliberate purpose or feeling of the better class of the Southern people, but the inevitable result of the friction between the races, where a considerable element of the dominant race is so removed from the higher influences of American life.

Yet the vast majority of this great population is of "native American" birth, and is all the time affected by the training-school of American life. The political speakers and preachers, the visit to the county town, the coming and going of the emigrating youth, the temperance agitation, the yearly revival meeting, the "boom," that is heard a great way off, like the thundering oncoming of the chariot of the Sun, the awakening eagerness to make money, which Dr. Johnson pronounced "about the best thing an honest man can do,"— all these influences keep the drowsiest realm somewhat astir, and form a sort of education to several millions of these people,— on the whole, better than schools without common sense. Even the mountain world is stirred to its silent depths. Twenty-five years hence, the class of people described in Miss Murfree's novels may be as difficult to locate as the bison of the Western prairies.

I rode a whole day, in South Carolina, with the son of an old Connecticut River railroad president, who was stumping the region

along the line from Charleston, S.C., to the Ohio River, soliciting grants of money and land for the route that will give the shortest access to the ocean from the North-west. A dozen great lines of travel are penetrating this marvellous wilderness, so long an enchanted land in the heart of the old Republic. In half a century, this section of mountain country will become one of the most attractive portions of the United States,— much of it more fit for occupation and agreeable in climate than a good deal of New England. These mountain people were loyal in the late war. Wherever the Union army penetrated, they fell in with *vim*. A hundred and forty thousand white soldiers were enlisted from this country,— twenty-four thousand more than from Vermont, New Hampshire, and Connecticut, seven thousand more than from nine of the present North-western States. Eastern Kentucky gave more white soldiers to the Union army than its entire number of voters.

In short, the Third Estate of the South is chiefly of good original stock, though for two hundred years content to sit on the back seat and rise up at the call of a superior class. But that drama is well on toward the fifth act. Radically sound, good-natured, energetic, looking in with all its eyes at the great, wide-open front door of the new American life, with the first enjoyment of the common school and the hunger and thirst for more; hearing, afar off, the loud sound of the "forging ahead" of the grand new South, earnest and devout in religious faith,— here is a material for American citizenship such as nowhere else can be found in this world. We may well consider what a conservative force in national affairs is here in training,— only needing the education of the time to bring to the front a people that will close up with the best elements of the Republic and "hold the fort" of an Anglo-Saxon, progressive civilization against all raids from home or abroad.

What can be done by the whole country to aid in the evolution of this people in the Southland? How can this great uprising be so directed that justice will be done,— not only to its superior class, which it will gradually displace and reconstruct, but to the eight millions of colored folk alongside of which it must live?

The first condition of social advancement is an understanding of the favorable elements in the problem. Even the "less favored" of this great population, the higher strata of which are well up, have several characteristics that deserve mention.

First, this body of the Southern people is not hopelessly committed to the fixed theories concerning government, social arrangements, and American affairs in general, which thirty years ago opened the "bloody chasm" we are all trying to fill up to-day. The exaggerated ideas of State sovereignty, the antiquated philosophy of eternal race distinction, the prejudice against modern ideas of education and industrial matters, which characterized the old leading class and still somewhat affect its rising generation, are not "to the manner born" with them. Indeed, a new State of the Union was formed in 1862 from the breaking out from these ideas by an important district of the Old Dominion. That the masses of the South have followed the leading exponents of these views, even through the destruction of civil war, is not decisive, since there had been little open discussion of such matters among them previous to 1860. But there are significant indications that, wherever the broader American ideas are fairly presented, without partisan or sectional animus, there will be found, in this quarter, a hearing that prophesies a hopeful future. The eagerness with which the country people have turned to the common school,— the special anathema of the old order in the old time,— and now for twenty years have supported it, bearing the chief burden of its colored department, almost to their full ability, and the constant demand for its improvement, is a case in point. Coeducation of Southern boys and girls has always been unpopular in respectable Southern circles; but in the common schools it is well-nigh universal, and is now introduced in the State Universities of three States. At the Miller Manual Labor School in Virginia, under the shadow of the University, four hundred youth of the humbler white class are schooled together, with a respect for womanhood worthy the higher ideal of the chivalry that interprets the Golden Rule. The special horror of the Southern upper class is the education of the colored and white races together. But at Berea, on the edge of Old Blue-Grass Kentucky, I found one of the best collegiate institutions of that State, where a large number of white mountain boys and girls were "improving their minds," and making manhood and womanhood, with a third as many lowland Negroes, with absolutely no friction. Of course, the old-time notions concerning labor have passed out of sight of this, the rising industrial class of the South. I do know what political policy or party in national affairs is to prevail in the future. But I am sure that another twenty years of fair opportunity to present the broad-gauge Amer-

ican idea of affairs to this people would result in a state of opinion that would leave the country safe, whatever party might dispense official "pie" at Washington.

Second, I believe in this people will be found a mine of enthusiastic and intelligent patriotism. The war against the Union was not an uprising of the Southern masses, but a deliberate policy of the class that had its confidence,— never seriously contemplated by three-fourths of the Southern people. Once in, they fought, as American men always do when that is the business on hand. But, long before the bitter end, it was understood that the hearts of great numbers of the Confederate soldiery were no longer in the cause. I was informed by a distinguished gentleman in Richmond that months before the end, on a tour through the mountains of Virginia, he met great numbers of deserters and disaffected people who did not propose longer to fight for a cause that boded so little good for their kind. The non-slaveholding class has no such prejudice against the Negro as the master class: indeed, this prejudice is far more a repulsion of caste and a memory of "previous condition" than a theory of race. They do not especially love the Negro: the lower strata look upon him as a dangerous rival in many ways. But it will not need a miraculous conversion to convince them that the welfare of an American State consists in standing by equal rights, justice, and fair play all round, leaving vexed questions of social import to regulate themselves, as they invariably will.

Third, another special trait that has attracted my attention from the first is the teachableness of the children of this class, with a reverence for superiors and confidence in those they believe friendly and unselfish. There is no better material than great numbers of these youth for the natural methods of teaching, which wake up the desire for improvement, spite of untrained manners and habits of living. I live among boys and girls who are making such efforts to gain a scrap of the opportunity so bountifully flung into the streets before all the children of our Northern cities as makes this one of the most pathetic spectacles of American life. All the stories that have thrilled the churches of the North concerning the eagerness for knowledge of the young Negro can be paralleled among the children and youth of the humbler white class, with the important difference that the average white child of Anglo-Saxon parentage, even of illiterate descent, seems to have at the bottom of his mind a pair of pincers by which he takes fast

hold of what goes in, and generally reveals the power of heredity in a people for centuries the leaders of the progressive society of the world.

All these and other elements of hopefulness encourage the apostle of the new American life in his dealing with the most needy of this class, and insure the hearty co-operation of the upper strata. And, now, what can the North and the nation do to hasten the coming of this great uprising among twelve millions of white American people, on whose future relations to American ideas the fate of these great commonwealths depends?

First, it can aid, in all public and private ways, to put on the ground a good working system of country common schools, of at least six months' duration a year, where all children can receive the elements of education, with the moral and social discipline which is "half the battle" in the training for American citizenship. As fast as the simple elements of industrial training can be imparted, it will be well. But the great need of the Third Estate youngster of the South is a revival of brains that will open his eyes to the wide world outside the home lot and form a habit of good reading and sound thinking on what is ahead of him. That itself will be a great industrial uplift, and in time revolutionize the methods of unskilled labor which are the chief hindrance to Southern advancement in material things. I still hold to the deliberate opinion that the country people of the South are doing about all they can for their common schools. Special districts will be able to approach the cities and villages in their ability for local taxation. But for two hundred years the common people of the South have been taught that "taxation is tyranny," and that "economy," even pushed to public stinginess, is the ideal of good government. Even were this pestilent heresy exploded, and the people convinced that wise and generous taxation is the life-blood of Republican society,— since, of all things, American civilization is the most expensive in the outlay, though the most economical in the income,— the power to bear taxation for putting on the ground the vast educational plant required for the white and colored schools, chiefly at the expense of the white population, burdened as at present, is not there. The persistent denial of this fact by a portion of the Northern metropolitan press, in the interest of the land agents and the investors in Southern capital, has gone far to publish a report that Dr. Curry pronounces a "stupendous humbug."

To my mind, the defeat of the Senate bill for National Aid to Education, last winter, was such a mistake that, could it be fathered on either party, it would entitle that combination to a retirement from power for a quarter of a century, on the ground of political incapacity. No critic of New England, however malignant, has drawn a bill of impeachment of Yankee statesmanship so formidable as was furnished by the votes of five New England Senators that accomplished that defeat, representing three States that lead the Union in the enjoyment of educational opportunities. A cause so manifestly just and wise and essential to Southern progress as some form of national aid for the time needed to put the educational affairs of these commonwealths on their feet is sure to come up for renewed action. The bill of the venerable Senator Morrill, for additional aid to agricultural colleges, including those for colored people, which has passed both Houses of Congress, is fraught with positive good. These schools are among the most valuable in the South, especially for the youth of the poorer classes. With the re-enforcement of fifteen thousand to twenty-five thousand dollars a year, they can be greatly improved, becoming everywhere, as they have become in Mississippi and Texas, an important element in the movement for skilled labor for all people. A generous system of national aid for education, administered, as it could and would have been, by the State educational authorities established at the close of the war, would have saved us from the bitter antagonisms awakened by the election bills of the present day. Said a radical politician to William H. Seward concerning the fugitive slave law,— one of the most mischievous ever enacted by Congress,— "What would you have done, as President of the United States, had that bill come up to you from Congress?" "If I had been President of the United States, that bill would never have reached the White House." The statesmanship that will save our country is that which works at long range, on the lines of the great uplifting agencies of civilization, in hope of gradual and permanent advancement, dispensing, as far as may be, with the old bungling rule of the sword and constable beyond the line of personal disobedience of the law.

Third, industrial education, in its broadest and most practical form, with good schooling in the elements of English, must become a great factor in the uplift of the new South. All the arguments used for its application to the Negro have full application to the children and youth of the Third Estate. Especially is this

true of the young women of this class. The lower forms of woman's work, with an increasing push into the operative and other modes of profitable labor, are falling into the hands of the colored women. Large numbers of these girls, in the excellent industrial mission schools of the South, are becoming successful workers in a variety of occupations for women. Whether the white girl of the South is to "lie off" and "play lady," while her colored sister "toils and spins," or take her part in the rising sphere of profitable industry, the three hundred and fifty ways by which an American woman can get a respectable living, is to be decided by this movement for the training of the hand of the rising womanhood of the South. Several of the Southern States already admit girls to the agricultural colleges. But the Mississippi plan seems the most popular. This State supports a great Industrial and Normal School, with free tuition for white girls,—a sort of college "of all work," where a young woman can get a good academical education and be trained for teaching while compelled to take some branch of industrial training. Though somewhat hindered by political interference in its administration, this school is becoming a positive success, and reflects great credit on a group of admirable women who pushed it through the legis lature, and are still watching by its cradle. Georgia is about to establish a similar school at her old capital, Milledgeville. The plan is so feasible that I look to its establishment in all thes States.

Bishop Atticus G. Haygood, the foremost educational and religious leader of the whole Southern people, has inaugurated his elevation to a bishopric in the Methodist Church, South, by a wise and noble plan for a great school of a similar class for Southern white girls, in the Alabama mining country, on the border between "down South" and the North, where the daughters of the impoverished rich and the ambitious poor can be educated at a rate that will enable thousands of good girls to obtain their great and only chance for education. The next million that goes down that way from Northern benevolence should be given to Bishop Haygood, in whose hands the vanishing surplus of the United States Treasury would have been wisely invested in "the building for the children" of the people of all conditions in these States. It is one of the delusions that still abide in too many minds that the great industrial need of the South is cheap and unskilled labor, the toil of an ignorant peasantry. The desperate need of the

South is intelligent labor in the masses, under the leadership of trained commanders of industry,— an army that will go forth "conquering and to conquer," into this marvellous world of opportunity.

The white masses of the South need to be brought in range of that system of agencies of the higher American civilization now in operation even in the most remote North-west, and which are the glory of the more prosperous States. It is impossible to describe the difference in the mental atmosphere in which a bright boy or girl, in an average county in South Carolina, Alabama, or Louisiana, is brought up, and that amid which his cousin lives, in Massachusetts, Ohio, or Wisconsin. It is all the difference between living in a country where the whole environment is educational and a country where education is a special thing and the youth is, all the time, compelled to push out of his ordinary surroundings to gain it. A free library in every neighborhood, a better class of newspapers, a movement to "add to faith knowledge" in the church,— all these, now rapidly coming to the front in the prosperous cities, still wait for their day in the open country. Yet here is the place, almost the only place left in American life, where is yet leisure from engrossing work. Oh, what a boon to us hurried and wearied mortals would be that precious leisure, flowing like a great quiet river through these rural districts of the Southland! Here is the place where all these beautiful and beneficent agencies would be best appreciated by the children and youth, who would accept them as eagerly as the children of New England, fifty years ago; springing to them as to a bounteous feast.

And is not the group of men and women already known who can bring the philosophy of Social Science down from heaven to abide upon earth, and put into simple statement, in leaflets or short readable tracts, the knowledge that makes for good living and true prosperity? The South is now drugged with the theories of professional politicians. Now the tariff, now the Negro, now the railroad, now the distant millionaire, is paraded up and down as the cause of "agricultural depression," the source of all Southern woes. Now let the Social Scientists "take an inning," and tell the people what wasteful housekeeping, bad cookery, unskilled labor, unfit dress, ignorance, superstition, shiftlessness, vulgarity, and vice have to do with the undeniable trials of these, with other multitudes of the less favored of our American people. A rail-

road conductor, with a big head on his shoulders, said to me: "All along this route of five hundred miles the people would read tons of leaflets, tracts, anything containing good, sound information and advice on common things. I could distribute all that anybody would give me."

But why go on? Here is a people, not inferior in capacity to any upon earth, of the best original stock, appearing for the first time as a controlling element in sixteen great States of the Republic, in whose hands is the destiny of other millions just introduced to American citizenship. On them will depend the outcome of Southern affairs for the coming generation more than upon all the rest of the country. What an appeal to the patriotism, the justice, the Christian spirit, of the whole American people! But alas for the sin, the shame, and the discouragement which stand between such a people and all that come to them in friendly co-operation! I live all summer in sight of money enough thrown to the dogs and to the devil to place on the ground, in any of these States, the agencies which their own noblest people are all ready to use for the public good. When the great Protestant churches, that still work at cross purposes along the border, learn the wisdom of Christian statesmanship, close up their ranks, and pour a stream of Northern money into this the most fruitful mission field on earth, there will be more hope of the coming of the kingdom for which their prayers go up day and night before the Lord.

The conviction forces itself upon a careful observer of these States that the time has passed when any set of leaders, any political or ecclesiastical party, can solve the difficult problems now set before them. It is doubtful if the foremost men, North and South, who were once arrayed as enemies in war, can ever "see eye to eye," or repose that confidence in each other without which all dealing with matters so delicate involves an ever-recurring exasperation. Napoleon said, "When a great thing is to be done in public affairs, keep away from the leaders, and go to the people." "The people" that will finally bring peace, confidence, reconciliation, through all our borders are the children and youth now being trained all over the land for the grandest effort of Christian administration that ever confronted a generation of men. And the Southern children on whom we are to largely depend, thirty years hence, for this glorious work of reconstruction and reconciliation are the boys and girls of this rising Third Estate and the Negroes, the youthful millions that now swarm this land of the South. The

best we can do is to hold things as good as they are, with the hope of making some little headway year by year against sectional prejudice, provincialism, and all the enemies of the new Republic. But greater than all other things is the work to which we are called,— the education of the head, the hand, and the heart of the twenty millions of Young America. Then, as Thomas Jefferson said, "if we educate the children aright, our descendants will be wiser than we, and many things impossible to us will be easy to them."

THE WORK OF TWENTY-FIVE YEARS.

A REPORT BY THE GENERAL SECRETARY, F. B. SANBORN, OF CONCORD, MASS.

READ AT THE QUARTER-CENTENNIAL MEETING OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION AT SARATOGA, SEPT. 1, 1890.

Mr. President and Members of the Association,— In this age of anniversaries, we are met to-night to keep our first quarter-centennial; and we are exact to the year, if not to the day. It was on the 2d of August, 1865, that, as Secretary of the Massachusetts Board of State Charities, I drew up the call for a meeting in the State House at Boston, which assembled Oct. 4, 1865, and there organized the "American Association for the Promotion of Social Science," whose twenty-sixth general meeting we are holding to-night. At that assembly of 1865, the then Governor of Massachusetts, John Albion Andrew, presided, and about three hundred persons, many of them eminent in science, in philanthropy or in literature, took part in the proceedings. As organized, the Association consisted of 175 members, of whom, as I compute, only about sixty are now living, several persons of great eminence having died since last we met here. Of those living many have grown old and are no longer able to take part with us; others are enfeebled by illness, resident in distant regions, or so occupied with other cares that they no longer continue their membership. Their places have been taken by others, from time to time, of whom also hundreds have died or grown old, or for various causes withdrawn from active participation in our work. At present we have a fluctuating membership of from 250 to 300 persons, and the co-operation each year of a few other persons who are not members, but who render us occasional and important service. The limits of our country and of our field of study are so vast that many of us never see each other from the beginning to the end of the year; and we are only conscious of continued life by the public evidence of some inquiry pursued, some useful work undertaken, or some long-suffering and patient cause at last brought to success by their efforts. The illustration of this may be found in the life-record of some of our original members who have died in the past year.

At the first formal or general meeting of our Association in December, 1865, Professor William Atkinson read a paper calling attention to the merits and defects of the British civil service laws then in force, and proposing a better enactment for the same purpose in the United States. Charles Loring Brace, of New York, read a paper on "Sanitary Science and Legislation," recommending the measures that have since been almost universally enacted in our country. Edwin Chadwick, then the most illustrious sanitarian of Europe, in a letter accepting membership of our Association, soon after made valuable suggestions as to the work which we could do in several directions; and Dr. John S. Butler, of Hartford, called attention to the necessity of doing something in America for the better classification and care of the chronic insane. These four members of our Association have all died within the past six months; each one of them unwearied in the pursuit of philanthropic good and scientific truth, and each living long enough to see much fruit from his labors. Professor Atkinson did not die till he had witnessed the fundamental conception of civil service reform implanted in our local and national polity,— often enough disregarded to be sure, and perverted in practice, but definitely fixed as a principle, which will in course of time work out its own practical development. Mr. Brace not only saw the principles of sanitary science recognized in communities which, twenty-five years ago, were as ignorant of them as the Pawnees are of organic chemistry, but he had built up with his own hands, aided by the friends whom his virtues brought to his side, one of the largest and most beneficent private charities in the world, — the Children's Aid Society of New York. Dr. Butler could look about him in serene old age, and observe on all sides the unconscious development of the ideas to which his life had been devoted, and to which he had never been unfaithful. Sir Edwin Chadwick honored at last with the title which had long before been bestowed on more complaisant and shallower men, spent his days, almost to the great sum of ninety beneficent years, in leading the people by expostulation and practical demonstration along the wholesome path of cleanliness, frugality, self-reliance, and the humbler virtues, of which he never failed to be the teacher and promoter. Hardly one of these earnest men, whose being was an incessant activity, could have said what good work he had not promoted or rescued from failure, so ready was their sympathy in whatever advanced the cause of a better civilization, so minute and condescending

were their labors in fields which the humble cannot see and which the powerful overlook or despise. It was said of John Howard, foremost in a long line of modern philanthropists, that "he trod an open but unfrequented path to immortality." It was the distinction of these four men whom we lament that they held the attention of mankind to what needed correction on the most frequented road-ways of civilization, and what, but for them, might have been passed by, as it had been, for a thousand years, without amendment or concern: —

> "Within their books the world is plainly set
> Before our vision;
> Each keen physician
> May find there wisely writ what we have met
> Along the dusty path,
> And o'er the aftermath,
> Where natures once world-daring held the scythe."

The members of our Association just mentioned were men who devoted much of their activity to indoctrinate others with sound opinions and with practical views concerning the matters to which they gave attention; but there have been others, equally interested in the good of mankind, who taught by example or illustrated by their experience the lessons that the world ought to learn. Among these was Mr. R. B. Forbes, of Boston, who for many years was connected with that great ocean-commerce which New England once controlled, but has now unhappily lost, and who was an expert in everything relating to the navigation of the seas. We profited by his experience during his long life, which covered the whole period of commercial activity in the United States. Let us hope that with him, and the stalwart merchant sailors and merchant princes of his class, did not finally perish that bold enterprise, nautical skill, and world-ranging spirit which elevated commerce from a gainful pursuit into a liberal profession. But they will die out, and with them much of the peculiar greatness and good fortune of American merchants, if foreign commerce is to be treated either as a felony or a misdemeanor, and if its American directors are suspected and watched as if they were enemies of their country.

It is to discover and amend what is wrong in the habitual life of men that social science applies itself most usefully,— not to promulgate broad theories or insist on ambitious panaceas for every human ill, but to consider the ailment and apply the remedy

patiently and repeatedly, as a mother heals the hurts of her children. Social Science, the daughter and the mother of civilization, finds in this paradoxical genealogy nothing more paradoxical than herself; at once the result and the cause of profound instrumentalities working to alleviate human misery and exalt human life above the material necessities out of which its wretchedness and its exaltation mysteriously flow.

A little earlier than our society was formed, Lord Brougham and some of his friends had organized the British Social Science Association, which continued in action about thirty years, and was for much of that time a guiding and stimulating force. But there, as in our own case, the movements originated by the parent society weakened the parental vitality; and the British Association practically ceased to exist some years ago, leaving other organizations to carry on the same work by specialization. Our Association also has given birth or furtherance to the National Conference of Charities, the National Prison Association (which will soon hold its twentieth anniversary at Cincinnati), the American Public Health Association, the Economic Association, and other bodies now in active life; but, in the process of extending and specializing our work, the vigor of the parent society has been somewhat diminished. Meantime, the country has grown enormously in population and wealth, in diversity of interests, and in the needs which our Association can best supply. In many matters which it would be tedious and a little too self-laudatory to enumerate, the country has profited much by the labor of our members; and many questions have been investigated and brought through the stages of discussion, legislative enactment, and experimental trial since we first met in Boston five-and-twenty years ago. A new set of issues (together with some of the old ones) now confront us, and demand no less attention and debate than did those we have been considering for a quarter of a century.

In the few months which I recently spent in Europe, I found that several of the topics that are new to us are old there, while many of the questions which there arouse apprehension and alarm have either been settled or quieted in this newer country, where the people have been trusted with more political power than is yet given to them in the most democratic countries of Europe. Even in Switzerland, which is in form the most democratic of European countries, and, in fact, has gone as far in that direction as any except perhaps Greece, there seems to exist among the

educated class a certain dread of what the multitude will do when political equality shall prevail, which surprises and amuses an American, who has seen political equality exist in his own country for generations without any of that spoliation or degradation of the fortunate, which is the haunting fear of property and intelligence all over Europe. I take it that this "red spectre" is a legacy of the great French Revolution, kept in view to our time by occasional revolutions of a minor sort since 1792. It seems to me the mission of America to lay this ghost. A very acute and logical Swiss writer, whom I had the pleasure to meet, Professor Charles Secrétan of Lausanne, in a work published some years since, and much read in Switzerland, states with moderation the prevalent European view in these words: —

A democracy (*l'Etat démocratique*) can do no more than give an imperative form to the desires of the multitude,— a combined result of the intelligence, the needs, the passions, and the prepossessions of the multitude. The natural tendency of the multitude would be to equalize material conditions in the shortest possible way. They do not threaten property as such, for they share or they desire its possession; but they are unfriendly to those who seem to own too much, and in the pursuit of equality they urge on measures that may dry up the sources of wealth for the community. Democracy is moving in this direction almost everywhere; and, if the current does not change, it must inevitably reach that result. If the poorer classes cannot make their wish prevail in a constitutional way, they will try to win by force. To repress such attempts menaces liberty, redoubles social hatred, and yet will not always succeed, perhaps, in averting a catastrophe wherein civilization might disappear.

M. Secrétan draws from these sad auspices a wise moral,— that the warring classes of European society must approach each other on the side of morality and the affections, and must not depend for the solution of the social question on economic laws alone, still less on political agencies. "The economic question," he says, "in the last analysis, is a moral question." This is the view even more definitely taken by the Le Play societies in France, so well described to us last year by Mr. Brooks; but these French societies, upon a nearer inspection, prove to be rather too reactionary and hierarchical for our unqualified praise. I ventured to present to M. Secrétan the American point of view: that the people can be trusted with power, without the least fear that they will ultimately abuse it, though they will make mistakes in its first use; that, while we have many inconveniences resulting from democratic instability

and inexperience, and the selfishness of demagogues, yet, on the whole, democracies are conservative of what is good, destructive chiefly of what is bad; and that here, where popular power is the greatest in the world, popular violence is hardly for a moment feared. Education must go with political power, and the task of educating the voters can never be remitted; but power itself is also an education, and, while it intoxicates the individual, it always sobers the multitude.

Such seems to me the lesson that America conveys; and such has been the inference drawn, I think, by the most attentive and earnest members of our Association, during the twenty-five years of its existence. This society makes of its members sometimes the instructors, sometimes the censors, sometimes the instigators, but always the servants of the great American people, who are not a populace nor a mob, but a collection of persons having a large stake in the future of their country, and ready to make any sacrifice for her, though never exempt from the passions, the frailties, and selfishness incident in human nature. "We have this treasure in earthen vessels," — and our American pipkins are too often of uncouth form, and far from immaculate, either inside or out; but, on the whole, they contain and preserve what is essential to a sound national existence. And our people are never unwilling to break any quantity of this pottery — even the most cherished and exalted pans, pitchers, and urns — in order to save the national treasure from theft or destruction.

At any rate, such is the opinion I have formed from my own connection with this Association and the opportunities afforded me to serve the public in other capacities. Whoever expects to see human nature greatly changed by any constitution or social form, or by anything except inward regeneration, will probably be disappointed; and whoever has ventured much in the experiment of setting right the disjointed times in which he was born, with the hope that he should receive even thanks for his pains, will certainly be disappointed, as he deserves to be. If he has held power, exercising it generously and with applause, he will find when he lays it down that it was the office which was applauded, not the man; he will feel every atmospheric influence of that peculiar season described by the poet,—

> "When Interest calls off all her sneaking train,
> And all the obliged desert, and all the vain";

and he may be tempted to cry out against the vanity of human wishes and the ingratitude of republics. But he will gradually learn the important truth, well formulated by Emerson, that the world needs everybody a little and nobody a great deal; that what was good in his work has already been absorbed into that huge reservoir of influences by which the world continues to live, and, on the whole, to grow better instead of worse; and, if he still has the human weakness of desiring gratitude or recognition, he may chance to find it in the unexpected memory of some deed, by himself forgotten, which was received with veneration and surprise by humble, despised persons, who knew no other resource than his casual magnanimity. What is true of persons is no less true of that corporate personality which our Association is. Its literature may not spread far, since the largest and the smallest wave are soon equally lost in the boundless sea; its labors may be forgotten, but they surely have not been lost, if they were sincerely undertaken for the public good.

CHARLES LORING BRACE.

Charles Loring Brace, a member of this society from its foundation and a frequent contributor to its *Journal*, died at Campfer, in the Swiss Tyrol, Aug. 11, 1890. Mr. Brace was born at Litchfield, Conn., June 19, 1826. His father, John P. Brace (Williams College, 1812), was a man of varied accomplishments. His profession was that of a teacher; but in several departments of natural history, and notably in botany and mineralogy, he was regarded as an expert, and did much original work in Litchfield and Berkshire Counties. He was well read in history, composed music, wrote several books, and in the later years of his life left the profession of teaching to become the editor of the Hartford *Daily Courant*. In 1833, he came from Litchfield to Hartford, to take charge of the Hartford Seminary, and Charles pursued his preparatory studies for college in the Hartford Hopkins Grammar School, and entered Yale in the fall of 1842. In several departments of reading and study, not included in the preparatory course, he had been trained under his father's care, and he was regarded by his classmates as being the most thoroughly educated man in the class. After graduation in 1846, he spent several years in teaching, pursuing at the same time a course of theological study at New Haven and New York.

In 1850, he, with two companions, inspired by Bayard Taylor's example, travelled through England, France, and Germany on foot; and later Mr. Brace went alone through Austria and Hungary, where he fell under suspicion of the Austrian Government, still nervous from the affairs of 1848, and was imprisoned as a dangerous person in the fortress of Gros-Wardein. He managed with considerable difficulty to convey information of his situation to Hon. Charles J. McCurdy, at that time our ambassador at Vienna, who at once interested himself warmly in his behalf, and succeeded in effecting his release.

On his return, he published "Hungary in 1851," giving an account of his experiences there; also, "Home Life in Germany." Before his visit to Europe, he had become interested in philanthropic work; and much of his time was spent, especially in Ger-

many, in examining the organization and working of charitable institutions. The outcome of this was the formation in 1853 of the Children's Aid Society of New York; and the organization and development of this immense and beneficent charity henceforth constituted the work of his life. It was laid out on the broadest lines, and so appealed to the judgment as a most useful and beneficent undertaking that help flowed in from all quarters; and, after the first few years, the necessity of personal solicitation for its support almost disappeared. This is not the place to go into the history of the work; but that history, whenever written, will be the history of the life of our associate.

His tastes and interests, however, extended to a much broader field. He had a strong constitution, great physical activity and endurance, and an immense power of work. In 1854 he again visited England, and in 1856 Norway and Sweden, and wrote "Norse Folk." In 1862, he published "Races of the Old World," a summary of ethnologic knowledge up to that date. In 1864, he published "Sermons to Newsboys." In 1867, he caught typhoid fever in his labors among the poor, and went for recovery to California. He utilized this journey by writing "The New West." In 1872, he published "The Dangerous Classes of New York and Twenty Years' Work among them," a work of great value, dealing in the most practical way with the causes of crime and the remedies which can be made available in a great city. In 1882, he published "Gesta Christi," a history of the influence of Christianity on civilization as shown in the modifications of law and the customs of society through the influence of Christianity. This work has already passed through five editions, and is perhaps the book by which the author's place in literature will be most firmly established. His last book, however, "The Unknown God," published early in the present year, is a work evincing patient and judicious scholarship, and breathes throughout an eminently catholic spirit, which was particularly characteristic of the man. In addition to his labors in charity, which were his life-work, and his various books, which he regarded rather as his recreation, he has been a constant contributor on a great variety of subjects to the daily press, and has written many articles for magazines, mostly on topics connected with his special work.

He was a genial companion, a lover of sport, a great pedestrian, and carried always a breezy enthusiasm which rendered him a delightful friend. He was utterly devoid of dogmatism; and his

mind always seemed in an attitude of inquiry, ready to receive with hospitality all suggested thought. One would have imagined from his air of easy receptivity that he would have been readily imposed upon, but this was by no means the case. He was intensely fond of speculative thought, and at times seemed almost dreamy; yet few men have excelled him in those administrative qualities which call for practical judgment and sagacity.

In May of this year, feeling that he needed rest, he went abroad with several members of his family, and spent some time at one of the German baths. He thought he was benefited; and, leaving the baths, he went higher up into the mountains to perfect his cure. Chronic troubles, however, which had probably existed for some time, but had hardly been more than suspected before, now attacked him in force; and he sank rapidly under them.

FREDERICK J. KINGSBURY.

WATERBURY, CT., October, 1890.

ANNUAL REPORT ON CO-OPERATIVE BUILDING AND LOAN ASSOCIATIONS.

COMPILED BY F. B. SANBORN, GENERAL SECRETARY.

Those peculiar organizations known by various names, and now seeking to accomplish some things inconsistent with their original design,—the Building and Loan Associations, or Co-operative Banks,—are perhaps still increasing fast in the country as a whole. A year ago, we estimated their number at 4,500, but this was evidently below the mark. In December, 1888, I said (*Journal of Social Science*, No. 25), "At least one or two associations are formed every week-day at present in the whole area of the country, so that 5,000 will soon be the number." I suppose, in fact, that there are now not less than 5,300 of these co-operative banks in the United States, of which there are, in

All New England, about	150
New York,	375
New Jersey,	200
Pennsylvania,	1,200
Delaware and Maryland,	225
Ohio,	750
Indiana,	400
Illinois,	500
Wisconsin,	50
Michigan,	60
Minnesota,	150
Iowa and Nebraska,	150
Missouri,	200
Kansas,	130
Kentucky,	200
Tennessee and the South-west,	300
Southern Atlantic States,	100
California and the North-west,	150
Total,	5,290

These numbers are approximate only, for in few States can the exact number be given; and the increase from year to year is very unequal in different parts of the country. We have from the Bureau of Industrial Statistics in Pennsylvania some recent informa-

tion concerning these organizations in that State which may be cited. Mr. Albert Bolles, Chief of the Pennsylvania Bureau, says:

Out of, perhaps, quite 1,200 building and loan associations in the State of Pennsylvania, we have collected the yearly financial statements of 538 associations. The reports, whose statements have been carefully analyzed, show: —

Total number of shares,	782,506
Shares pledged for loans,	201,117
Cash receipts for one year,	$18,372,178
Cash expenditures for one year,	17,419,155
Cash on hand at end of fiscal year,	953,023
Paid stockholders, withdrawals, and matured stock,	4,647,284
Current expenses, one year,	204,454
Total assets,	42,157,148
Total gains,	8,102,090

Mr. Bolles then proceeds to extend this information by estimate and average, so as to cover the 1,200 actual associations in Pennsylvania. These 1,200 associations or co-operative banks, he thinks, have, in the aggregate, as follows: —

Shares,	1,735,700
Borrowing shares,	448,800
Assets,	$94,030,800
Receipts, one year,	40,978,836
Disbursements,	38,853,156
Cash on hand,	2,125,680
Withdrawals and matured shares,	10,365,684
Expenses,	456,024
Gains,	18,071,352

This is the largest estimate and based upon the largest number of *bona fide* returns from building associations which has ever been made in the United States; and, therefore, the averages found existing in these Pennsylvania associations become very important, and throw much light on the present contention between the local and the so-called "national" companies. It appears by the following figures that the average receipts of each one of the 538 Pennsylvania associations sending in reports were $34,149 in 1889, and that the average current expenses of management were only $380. This is but little more than *one* per cent. on the receipts, which, in the whole 538 companies, amounted to the great sum of $18,372,178. Now, a single one of the new "national" companies, the United States Savings Loan and Building Company, of St. Paul, Minn., with a "subscribed capital" of

$4,301,700, and receipts in its first year amounting to $184,-645.76, reports its expenses as $17,786, or more than *nine* per cent. of its receipts paid out for current expenses of management. At this rate, the current expenses of managing the 538 Pennsylvania companies, with their $18,000,000 of receipts, would have been $1,750,000 instead of the actual sum, $204,454, and the profits would have been reduced from $8,102,090 to about $6,556,000. The averages for Pennsylvania are thus given, by Mr. Bolles, for the year 1889 : —

AVERAGES FOR EACH ASSOCIATION.

Shares,	1,454
Shares borrowed on,	374
Cash receipts,	$34,149.03
Cash expenditures,	32,377.63
Cash on hand,	1,771.40
Withdrawals and matured stock,	8,638.07
Current expenses,	380.02
Profits,	15,059.46
Assets,	78,359.08

DIVISION OF ASSETS.

Loans,	$73,131.13
Real estate,	2,179.83
Cash,	1,171.40
Sundries,	1,276.62
Total,	$78,359.08

Of these 538 Pennsylvania companies, 1 was organized in 1853 and 28 before 1869; but more than 400 of them are less than twelve years old, and nearly half are less than five years old. Mr. Bolles further says : —

A conservative estimate of recorded building association mortgages in Pennsylvania would be $90,000,000. Generally speaking, such a mortgage is not a debt, but emphatically *a creation of new wealth*. Suppose, for example, that 81,600 persons were, before they became members, paying $12 a month for rented houses, or in all $11,750,400 per year. They form associations with 180,000 other persons, who have previously obtained homes, and who agree to deposit various sums per month, and hand the money over to the 81,600 borrowers to build homes with. At the end of 142 months, or less, it is found that what the borrower had formerly paid as rent has by this system earned him a home entirely free from debt; and 81,600 persons are the owners of $90,000,000 of real estate that they have accumulated month by month. Instead, therefore, of the mortgages being debts, they are assets in prospect, and real assets to the extent of the amount

actually saved and paid in. From observations made by the writer, the opinion is formed that of the possible $90,000,000 of recorded mortgages fully $27,000,000 have been saved toward full and final ownership,— in other words, that all building society mortgages now on record could be satisfied by the payment of 70 per cent. of their face value.

It would seem that the present value of each share of stock in Pennsylvania averages about $54; but, as the par value is sometimes $200, sometimes $100, and may be as low as $50, this figure gives us little indication as to the time when the shares will mature. It is assumed, however, by Mr. Bolles that this time will be about twelve years. The average reported profit on each share is $10.35, which would point to a shorter time,— nine years and eight months; but it would not be safe to reckon on this.

The $90,000,000 in Pennsylvania mortgages above estimated have accrued in something more than half a century; and their repayment, when completed, will have added that sum and more to the real estate of that commonwealth. No other State can show such a record, but Ohio is fast following in the footsteps of Pennsylvania. The largest local associations are now in Ohio, at Dayton and Toledo. The People's Association at Toledo in 1889 had receipts amounting to $256,718 and current expenses of management only aggregating $1,753,— less than one per cent. of the receipts. The St. Paul "National" Association above mentioned, with receipts $72,000 less, paid more than *ten times* as much ($17,786) for expenses of management. At this rate, it is hard to see how the "national" company can keep going and pay even a small percentage of interest, yet this particular St. Paul company offers 24 per cent. interest. Comment is hardly needful here. It is plain that somebody is going to be greatly disappointed. The Cincinnati *Co-operative News*, from which I draw these facts, gives also this concise account of the formation and modification of the local associations in the whole country.

The building association movement has, since its inauguration in the United States fifty years ago, appeared in three distinct forms.

(1) The first associations were of the terminating order. In these all the members were compelled to join at the beginning of the association, and all the shares matured at the same time. These were genuine building associations, and proved useful and popular. Terminating associations have now largely disappeared, though a few are still in existence.

(2) The second form of the association was the serial. In this the members were classified according to their time of joining. The shares of each class were of the same date, and matured at the same time. The serial is plainly a development of the terminating. Serial associations, like the type from which they sprung, were genuine building and saving societies, and were useful and popular. This form of association also is still in existence: they are the most numerous.

(3) The third form was a marked change from the original type. This form, taking its name from the place of its origin, is awkwardly styled the "Perpetual" or "Ohio plan." In associations organized on this plan, members may join or withdraw at their pleasure without loss to themselves or detriment to the association. This is the popular form of association at the present time. It adapts itself more readily to the convenience of members than either of the older forms. The introduction of this plan marked the beginning of the real popularity of associations, for it is since that time that they have sprung up in such large numbers.

These have been the marked steps in the development of the building association movement. The institution is recognized as yet only in its infancy. Who can tell what the next improvement will be? Experience develops new difficulties and emphasizes old ones.

The rapid growth of these organizations has stimulated many speculative movements, one of the most active of which is the creation of the so-called "national" associations, which, instead of confining themselves to a single city, extend their membership and their loans over several States, and aspire to include the whole country. They are banking institutions, but they have none of the peculiar safeguards of the small and local co-operative banks. They have organized a League of *General* Building and Loan Associations, the whole number of which in the United States is about 150: of these, 15 are in the two cities of Minneapolis and St. Paul, 15 in Chicago, and 10 in New York City. Most of these, when honest, are real estate investment companies, whose object is to collect capital, from the East, if possible, and invest it in the newer States of the North-west or in growing communities at the South. To this there is no objection, except that it is a business proverbially risky, and very unlike the small and domestic scale upon which the co-operative banks ought to proceed. But there are other national associations whose purpose does not seem to be honest: rather are they opportunities for gambling speculation, in which the investors are likely to be losers. Both the local and the national associations are preparing

to influence legislation in the several States where they are strong, or where hostile legislation is feared. This contest is to be regretted, but it is probably not the local associations which will suffer most from it.

The statistical Bureaus in the several States now deal so thoroughly with the facts concerning the Building Associations and Co-operative Banks throughout the United States that it may not be necessary hereafter to keep up the annual report of this Association. There are numerous periodicals devoted to this interest, of which the most candid and useful which comes to the Secretary is the *Co-operative News* of Cincinnati. Many manuals also exist for the use of members, among which may specially be named Judge Dexter's and Mr. H. S. Rosenthal's.

The Single Tax Discussion

HELD AT SARATOGA SEPT. 5, 1890.

Reported for the

American Social Science Association,

And Edited by

F. B. SANBORN.

CONCORD, MASS., OCTOBER, 1890.

INTRODUCTION TO THE SINGLE TAX DISCUSSION.

During the absence of the Secretary of the Social Science Association in Europe, in the spring and summer of 1890, the Acting Secretary, Rev. JOHN GRAHAM BROOKS, of Brockton, Mass., made arrangements for a debate on the proposition long since brought forward by Mr. HENRY GEORGE, that all the revenues for the support of all the governments should be raised ultimately by a special and exclusive tax on Land Values, or what is sometimes called Economic Rent. Mr. GEORGE was at that time out of the country; but it was expected that he would return in time for this discussion, as, in fact, he did. Several of those who support his proposition (Mr. S. B. CLARKE, Mr. LOUIS F. POST, of New York, and Mr. W. L. GARRISON and Mr JAMES R. CARRET, of Boston) undertook, in his absence, to see that their case was fully stated and argued; and this also was done in the presence of Mr. GEORGE. On the other side of the case, Professor JOHN B. CLARK, of Smith College, Professor EDWIN R. A. SELIGMAN, of Columbia College, Mr. EDWARD ATKINSON, of Boston, and Dr. WILLIAM T. HARRIS, the United States Commissioner of Education at Washington, divided between them the arguments against Mr. GEORGE'S proposition; and President ANDREWS, of Brown University, and Professor THOMAS DAVIDSON, of New York, who had both looked with some favor on the general views of Mr. GEORGE, were invited to give their present impressions on this special subject. It was not known on which side these two would range themselves; but, when their papers were read (for both were absent) it, appeared that they also were in opposition to the single tax. This fact has prevented an equal distribution of the speakers on the two sides of the controversy; for *five* only took the affirmative, while *six* took the negative of the question. Moreover, Professor SELIGMAN, Mr. GEORGE, and Mr. ATKINSON, all spoke *twice;* and, while Mr. GEORGE put both his speeches into one report, the other two gentlemen are twice reported. This may give an appearance of unfairness to the discussion, which was not intended, and which was not the fact. Although neither side quite met all the arguments of its opponents, because most of these were prepared in advance, yet enough was known through previous publication to warrant a fair presentment of the case on both sides, and it is believed this has been done in this Report. The remarks of Professor E. J. JAMES, of the University of Pennsylvania (which, by accident, were not reported), were regarded by Mr. GEORGE as favoring his view; but it is probable that this would not appear to be the fact if they had been taken down. Assuming that they were favorable to the single tax, these remarks, together with the Single Tax Platform, would make the affirmative side nearly equal in space to the negative; but neither party complained of lack of time, or that the other party took too much of the debate.

The whole controversy is here printed, in order to lay before the public the deliberate, though conflicting, opinions of many persons who have observed and reasoned long on one of the most complicated and difficult problems of modern government,— the methods and results of Taxation.

DISCUSSION OF THE SINGLE TAX.

Friday, Sept. 5, 1890.

I. WHAT THE SINGLE TAX OF HENRY GEORGE IS.

BY SAMUEL B. CLARKE, ESQ., OF NEW YORK.

In the July number of the *Century Magazine* there was a debate between Mr. Atkinson and Mr. George, in which each charged the other with not understanding what the single tax is. This sterile issue between the disputants in that debate has suggested to me that we are not likely to make much progress in the present discussion till we shall have first found out what the subject of discussion is; and that I could not make better use of the time allotted to me than by trying to make it clear, without arguing it on either side and without pronouncing any judgment upon it. Of course, it will be understood that I am not authorized to commit anybody else to what I shall say. I shall give merely some of the impressions which have been left upon me after examining and reflecting upon Mr. George's writings and the criticisms which they have called out.

As I understand it, the underlying principle of the single tax is that public revenues ought to be raised by taxing the exchange value of land in preference to the products of labor. To some critics of Mr. George this statement seems to involve an absurdity, or, at least, they affect to believe that it does. For (they ask) in what else can any tax be paid except in the products of labor? Of course, if the statement of the principle meant that any tax could be paid otherwise than in labor products, it would be nonsense. But such is not the meaning. The meaning is that men should not be taxed in proportion to the labor products which they produce, sell, consume, or own, but in proportion to the exchange value of the land which they own and exclude others from,— land not being itself a labor product, but being an indispensable requisite for producing anything.

There is nothing novel in the distinction thus made between land and the products of labor. It is a familiar distinction which everybody is, or by a little reflection, may become, fully conscious of, and which is made by political economists (without any exception, so far as I know) the first postulate of their science. J. S. Mill begins the first section of the first chapter of the first book of his treatise on political economy thus, "The requisites of production are two,— labor and appropriate natural objects." Plainly, this postulate distinguishes "appropriate natural objects," or land, on the one hand, from the product, which, if I may say so, is engendered by the coition of land and labor on the other. It is upon this plain and well-understood distinction that Mr. George bases the single tax.

The single tax is therefore an *ad valorem* tax on land substituted in place of present taxes. It is not a specific tax. No one will be called upon to pay anything merely because he owns a tract of land. Unless his land has a money value, the tax will not touch him. If his land has no value, his owning it gives him no advantage over other men, otherwise they would be willing to pay him something for it. If, after a time, his land becomes valuable, he will then begin to feel the tax, which will always adapt itself automatically to the fluctuations of value, rising as the value rises and falling as the value falls.

The single tax is not a tax on the improvements on land, such as buildings, fences, drains, and wells. No matter how valuable the improvements may be, the owner of land will pay no tax unless the land itself, if all the improvements upon it were to be destroyed, would still command a price.

How is the land value to be ascertained?

I imagine that it would be necessary, or at least expedient, to establish, for the purpose of taxation, some unit of land for assessors to work upon; and it might be expedient to divide all the land of the State into a few broad classes, and establish a different unit for each,— such as a lot measuring 100 by 25 feet in cities, a somewhat larger lot in villages, and so on. The basis of classification, and what would be the most suitable units, are matters of detail which have not yet been discussed. It is not necessary to consider them now, in order to see how the appraisement would be made. Take any specific tract within your personal knowledge. No matter what tract, so long as you look at it in the light of its surroundings, and so long as you keep in mind

the fact that it is bounded by definite lines, which nobody may pass without the consent of the owner, except under peril of finding the whole power of the State arrayed against him. The question to be solved is, What is the right to the exclusive occupancy and use of that specific tract, for the term of one year, worth in money? it being understood that, for the purposes of appraisement, all distinguishable improvements upon the tract are to be deemed non-existent, and that at the end of the year the occupant may continue to hold the land for a second year on paying the tax for that year, and so on indefinitely.

There does not appear to be any great difficulty in reaching an answer to this question that shall be approximately accurate. Our present taxes on real estate lay fully as great a strain on the intelligence and good sense of the assessors as they would be put to in dealing with this question. There are, however, one or two principles by which the assessors must be guided. *First*, they must not make any allowance for improvements which lie outside the lines of the particular tract under consideration, except, perhaps, for public improvements in the neighborhood, part of the cost of which has been charged upon that land. *Secondly*, there may be evidence of ancient improvements within the lines, which probably affect somewhat the present value of the land, but which cannot be clearly separated from it. No allowance is to be made for such improvements. They will be provided for in another way. *Thirdly*, in dealing with distinguishable improvements within the lines, no allowance is to be made either for their original cost or for their present value. The land is to be valued as if those particular improvements were destroyed, or as if they never had existed. *Fourthly*, the question is not what the land is worth to the owner or to any other single man, but to men in general. If one man by superior skill and industry can make the land more profitable to himself than another could, the tax is not to be augmented on that account.

It is not proposed to exact the entire annual value of land thus ascertained. There are several reasons why this should not be done. For example, while the value of land can be approximated with reasonable accuracy, there is no way of ascertaining it with absolute precision. An expert will tell you that a piece of land is a good purchase at $900, a bad one at $1,100, and a fair one at $1,000; but he will refuse to say that it is worth exactly $1,000, not a cent more or less. If the entire annual value as

ascertained by the assessors were exacted, there would be a very considerable risk of encroaching upon the value of improvements; and this, of all things, is what the single taxer most wishes to avoid. And, again, some allowance should be made for undistinguishable improvements, and perhaps in some cases for improvements on neighboring tracts owned by the same person as the tract under consideration, or by some predecessor in title. Accordingly, all single taxers that I know of concede that a fraction only of the annual value as ascertained ought to be taken. What this fraction shall be is a detail which has not been much considered. Mr. George says as near the whole annual value as may be possible. Mr. Thomas G. Shearman thinks that 65 per cent. would be about fair. And I suppose no single taxer would think his principles outraged if, at the outset and until we shall have had experience to guide us, only 10 per cent. of the annual value is taken by the land value tax.

This method of fixing the basis of the tax would apply to the great bulk of the lands in the State, such as urban, village, and farm lands. There would be more difficulty in the case of lands whose value depends upon peculiar uses, such as railway lines and mines.

Could this tax be shifted? Could the landlord throw the burden of it upon his tenant? Could the farmer and manufacturer transfer it to the purchasers of their products? This is a question of cardinal importance; for, if the answer to it is in the affirmative, the scheme of the single tax is completely upset. There does not, however, appear to be any good reason to suppose that the tax could be shifted. The single taxer does not deny that the annual value of land, a part of which would be taken by his tax, can be recovered by landlords from tenants, and by manufacturers and farmers from their customers. Indeed, the fact that it can be recovered, and is now actually recovered, is one of the foundation-stones of his argument. What he says is that, in order to shift the burden of the tax, it would be necessary for the landholder to recover it *twice*, once for himself and once for the State; and this, he says, is impossible so long as competition among land-owners prevails. The fact that the land-owner would have to pay a part of the land value to the State would give him no greater power over tenants and customers than if he were compelled to pay his debts with it, or than if he voluntarily endowed a hospital with it. We may be very sure that, if there were any way in which land-owners

could obtain more than the annual value of their land, their self-interest would lead them to do it under the present *régime;* and the fact that they do not do so now is conclusive evidence that they could not do so under the single tax, and that the burden of that tax would rest on them, and them alone. Whatever the land-owner could in fact recover from other persons would show what the value of his land was, and so fix the tax upon him. He could no more escape it than he could run away from his shadow.

I think what I have now said makes a complete outline of the single tax; but a clearer conception of it may be got by noticing some of the effects which its substitution for present taxes would tend to bring about. I will first enumerate some of the beneficial effects. And inasmuch as opponents of the single tax are somewhat inclined to test it by the false principle that, if it is not a complete cure for poverty, it is nothing at all, I will mention such benefits only as appear to be most certain.

First.— Speculation in land and the holding of land unused and unimproved would be discouraged. If a man were obliged to pay every year the full rental value to the government, what motive would he have for holding any land except for the purpose of immediate use?

Second.— The present taxes on food, clothing, tools, materials, houses, etc., would be reduced, and, if the land value tax proved adequate for the support of government, they would be done away with altogether. This means a cheapening of price, an increase of demand, and a stimulation of industry all along the line.

Third.— The pressure upon every owner of land would be to get as much out of as little as possible. This means an intensive and improved cultivation of the soil.

Fourth.— The capitalized value of land would be reduced to a capitalization of so much of the annual value as was not taken by the tax. Consequently, every man could more easily obtain a separate home for himself than now; and capitalists could start new enterprises with less capital than now, or larger enterprises with the same capital.

Fifth.— There would be a closer approximation to equality of opportunities among all the people.

Sixth.— The power which the rich now have of using the immediate and imperious necessities of the poor as a whip to drive them into unfavorable contracts,— contracts which are similar in kind to usurious contracts, and to forced sales of property on legal

process, and which are typified by Esau, while weary and hungry, bartering his birthright for a dinner,— this power would be diminished. There unquestionably is a social force at work, the tendency of which is to keep the poor poor, and to make the rich richer. I think that every man who by superior abilities or good fortune has reached affluence from poverty has felt it, at first working against him, and, after he had passed a certain point in his career, working for him,— at first pressing him down and later buoying him up. No doubt this force would continue to operate under the single tax, but its intensity would be less. This means less initial difficulty in the accumulation of wealth, and a more equable distribution of it.

What evil effects would there be?

I can see that in the transition from the present system there might be some hardships put upon persons who have made investments in land, and that, if the transition were sudden and abrupt, such persons would be cut to the bone. Nobody, however, proposes to make the transition abruptly. If the programme of the single taxers is carried out, only short steps toward the goal will be taken at any one time; and, after the first, no step will be taken, except in the light of the experience already gained. Should this cause any inconvenience or hardship, it would be temporary only, and ought not to bar the way to a permanent improvement in civil government.

What other evil effects would there be? One has been suggested to me. The point of perfection in the theory of the single tax would be an ascertainment of annual value with absolute precision and the exaction of it by government to the last cent. Suppose that to be done. Suppose a mechanic by hard work and thrift to have scraped together money enough to buy a lot in the outskirts of a city or village, and to build there a modest house for himself. Suppose, now, that the neighborhood improves, and that all the land thereabouts, including his lot, becomes very valuable. The tax which he would have to pay would increase, and might become so heavy that he could not pay it. He must abandon the lot. And he must also abandon the house and lose the value of it; for nobody wanting his sort of house would be any better able to pay the tax, while wealthier persons, who might be glad to take the lot, would be unwilling to pay anything for the house, as they must be at the expense of pulling it down, so as to be able to use the land for their purposes. In other words, the

single tax, at the point of theoretical perfection, might compel this mechanic not only to change his residence, but to sacrifice the products of his labor.

This, to my mind, is a pertinent criticism of the pure theory of the single tax; but it does not take account of the single taxer's practical programme. The capitalization of that part of the annual value which was not taken by the tax would be apt, in the case supposed, to give the mechanic an abundant compensation for changing his residence and losing his house.

What other evil effects will there be? I shall be grateful if some opponent of the single tax will point them out.

We shall get still further light on our subject if we consider its bearing upon two great questions, which are now agitating the mind of the people,— protection to domestic industries and the drink-trade. It is not necessary that the single taxer should be a free trader or that he should believe in free rum. All that an acceptance of the single tax requires is that imports and liquors shall not be taxed *for revenue.* But the tax power of government may still be used as a means for crushing or restricting the drink-trade and for diversifying domestic industries and altering the conditions of international trade. A striking illustration of such a use of the tax power is presented by the federal tax on the circulation of State banks, which has yielded practically no revenue, but has established a uniform currency throughout the land.

2. THE SINGLE TAX.

BY THOMAS DAVIDSON OF NEW YORK.

A tax is a portion of private property claimed by the State or the community for public uses. States and societies exist to secure for men certain goods or blessings which men individually cannot secure for themselves. Among these are "life, liberty, and the pursuit of happiness." States and societies secure these blessings by certain combined activities, and these demand a certain amount of means. The individual, accordingly, is asked to sacrifice a certain portion of his private property, in order that the State or society may be enabled to secure these blessings for him. Such sacrifice has never been regarded by any right-minded man as a hardship or an oppression. A small good is sacrificed, in order that a greater may be realized.

This is the ordinary and obvious view of the justification of taxation. But there is a much more profound and fruitful view than this. When we reflect that it is only through the State and the community that men are able to realize any rights at all,— that they can have any rights in any worthy sense,— we see that all right to property is a gift of the State, and has its origin in the State, or, which is the same thing, in man's nature. It is man's nature to be a member of a State, and to find his true being therein. Hence, when we say that men have natural rights, we speak truly; but we mean men whose nature it is to be citizens. If that were not their nature, they would have no rights. The lion has no rights; and it is for this reason that he depends solely on might, and never rises above the animal into rational life.

The right to property being a gift of the State, individuals are not making any sacrifice for the State when they are paying taxes. They are simply helping to give reality to that institution which makes property possible at all. The true way to regard property is to regard it as a gift from the State. And, when I say property, I do not mean things, but the right to the exclusive use of things. In a communistic world there would be no property; but there might, for all that, be plenty of things, and things extensively used.

Now, things that are capable of becoming property are produced either by nature or by man, or by both together. But, whatever their origin, they are all equally in the gift of the State, as being the true expression of human nature. It is generally held that men have naturally, and in a sense not human or civil, an indefeasible right of property in the things which they produce or, with only the help of nature, aid in producing; and this right the State, on the whole, allows, but not at all for the reason assigned. It does so because such an arrangement has been found, or at least is supposed, to be more conducive than any other to the realization of those ends for which the State exists. If a man produces infernal machines, or, in some places, if he produces whiskey, the State refuses to allow him the right of property in them. Nay: almost every State refuses to grant to an inventor the right of property in his invention beyond a brief period of time; and yet, of all things, an invention is most distinctly the product of an individual man. Writers of books, as we all know, are treated in the same way, and, I believe, justly so.

The same reason which induces the State to grant to individuals property in what they produce induces it to grant them property in what they do not produce,— because it is best for the ends of the State that it should do so. When the State gives a man property in land, his right to that property is as good as if he had produced the land. There is thus no rational principle upon which the State can grant a man property in his own productions, and refuse it to him in land, unless it be that the former is conducive to the ends of the State, while the latter is prejudicial. And, inasmuch as a tax is a refusal of right of property, there is no other principle than the above to justify the State in taxing land otherwise than it taxes other things,— things produced by man. This conclusion gains greatly in force, if it be admitted that whatever value land has is communicated to it by human labor, inasmuch as it abolishes the distinction between natural value and value produced by man.

But it is just in this connection that the argument of those who contend for an exclusive land-tax finds its plausibility. It takes this form: Labor, being that which alone imparts value, constitutes the natural right to property; but, whereas all other things having value as property derive that value from the labor of individuals, land derives its value from the growth of the community: therefore, while the former are rightfully private property, land ought

as rightfully to belong to the community. Now, every single step in this argument is false. The premises are both doubly untrue, and the conclusion does not follow from them.

In the first place, that labor is the sole creator of value is not true. This doctrine, upon which Karl Marx based his revolutionary socialism, has already been rejected by all the more thoughtful men, even among the socialists; and, indeed, it is so obviously incorrect that only the exigencies of a theory could induce any one to accept it. The special value (and I mean the exchange value) of a bottle of old Port or Madeira is not due to the labor exerted in producing it, but to the mellowing action of nature. It would be interesting to inquire to whom the value thus imparted belongs on the natural-rights theory; but I refrain.

In the second place, labor, even granted that it were the sole creator of value, does not constitute a right to property in its own results. We have already reached this conclusion; and it only remains to add that the doctrine here controverted rests upon a false view of man's nature and of his relation to the State,— a view which assumes that man is man, and, as such, has rights, prior to, and independently of, the State, the State being a mere accidental though convenient arrangement for the protection of natural life and property.

In the third place, even if we grant that labor is the sole creator of value, it is not true that the value of all valuable things, except land, is due to the labor of individuals. It is in most cases very largely due to demand on the part of the public, and this is a social matter. Hence that value which renders right of property desirable is in great degree, though by no means exclusively, a social product. And, if all value ought to be the property of its producer, it would follow that the public has a right of property in almost everything produced by its members. This would lead us straight to socialism; and, indeed, it is difficult to see how those persons who believe in the single tax can avoid being forced on by their own principle to socialism. This is so true that a considerable number of the English socialists are men who, having accepted the single-tax doctrine, found themselves compelled by its principle to go beyond it. The principle upon which socialism and, I may add, its extreme opposite, anarchism, rest, is this: that men have rights prior to and independently of the State, and that among these rights is this,— that all value belongs to him who produces it.

In the fourth place, it is not true that land derives its value from the growth of the community. What is true is this: that land derives its value from the activity of the wealth-producers who occupy it; and to this value some contribute much, some little, some nothing, and some less than nothing. The man whose genius or talent sets on foot a new industry, say pottery, contributes much; the workman who works faithfully at the pottery, little; the man who produces only what he consumes, nothing; the idler or the pauper, less than nothing. Now, upon the natural-rights theory, a large share of the land ought to belong to the first, a small share to the second, none to the third, and less than none to the fourth. Thus, even upon its own principle, the single-tax doctrine is self-contradictory. It is true, to be sure, that much of the value of land may be fairly said to be a social product; but it is true only to the same extent as it is true that all value is so. In this respect there is no difference between land and other things. In all cases, value is created by individuals, not as being individuals, but as living and sharing in the social union. Society could produce no wealth if the individuals composing it were idle, and the individuals would produce little wealth but for the institutions of society. Since, however, every man is equally a member of society, it is clear that we cannot employ the social factor in the production of wealth to determine its distribution without falling into socialism, nationalism, or, indeed, if we were entirely logical, into absolute equality of wealth for all mankind. But, since both the universal reason, as revealed in history, and the individual reason equally reject this, it follows that, if the State is to take account of either of the factors of production in the distribution of wealth, it must be the individual one. There is indeed, as we have seen, no other reason why it should choose even this except the desire to realize its own end; and this is in fact the reason for the choice. Whatever point of view therefore we take, it is perfectly evident that the value of the land, that which makes it desirable as property, does not originate with society, and therefore does not justly belong to society. Like all other value, it belongs to individuals in the proportion wherein they have each contributed to produce it. It follows that there is no reason for forbidding property in land more than for forbidding property in anything else.

In the fifth place, even if all the premises above cited were true, (1) that labor is the sole producer of value, (2) that productive labor forms the natural title to property, (3) that the value of

everything but land is due to the labor of individuals, and (4) that the value of land is due to the growth of the community, the conclusion that the value of land ought to be public property would not follow. In fact, it is reached only by means of that logical fallacy known as a *quaternio terminorum*. This, in brief, is the reasoning:

Whatever value is produced by labor belongs by natural right to the laborer;

The value of land is produced by the growth of the community;

Therefore, the value of land by natural right belongs to the community.

"Growth," being substituted for "labor" in the second premise, gives us a syllogism with four terms, which is no syllogism at all. If we remove the fourth term, by substituting "labor" for "growth" in the second premise, the conclusion will not follow. Labor is always an individual matter; and, since its amount differs for different individuals, the value contributed by different individuals will be different, and ought, on the theory of natural rights, to be distributed in proportion to their labor.

Thus we see that the whole argument for the single tax rests upon false premises and illogical reasoning. It rests, moreover, upon a low and unspiritual view of man, of the State, and of the relations between the two. It looks upon man as an animal, with animal rights; upon the State as a mere convenience for securing animal rights; and upon the relations between the two as unessential to man's existence as man.

What is true of the single-tax theory is true of several other recent economic theories,— socialism, anarchism, and the like. They all proceed upon the assumption that men have rights, as mere individuals, altogether apart from and independently of their relation to the State, their nature as political beings. They are so many forms in which the animal-rights theory tries to assert itself against the human-rights theory. Our way out of such things, the way by which we may develop in a natural order, is by a clear grasping of the fact that our rights as human beings are realized only in and through the State, and that the question which the State has continually to solve is not, How shall each man's extra-civil, natural, or animal rights be secured to him? but How shall all citizens be best helped to realize their political nature, with all that that implies in the way of intelligence, sympathy, and helpfulness? In regard to the land, this question takes the form, What form of land-holding or land-using tends most to develop the political virtues?

I am of opinion that this question has received no final answer, and, furthermore, that no final answer is possible. I believe that one form of land-holding suits one grade of political culture, another another. A primitive society, destitute of art, science, and philosophy, will be best suited by a communal land system; a society struggling toward these, by a feudal system; a society that has attained them, by a system of private property in land. And I think I see why this should be so. In primitive society no individual has any considerable interests or plans of his own, anything that makes it necessary or desirable for him to have independent means. In the next higher stage a few persons have such interests and plans, while the rest are glad to be used as instruments for the accomplishment of these. This is the condition of men under feudalism. The growth out of feudalism has been gradual, and determined by the number of persons capable of initiative, and therefore requiring independent means. It thus appears that the gradual growth of private property in land, as indeed of private property generally, has been the necessary concomitant of man's gradual growth toward independence and individual initiative; in other words, toward realized freedom. To set any limit to private property, as such, would be to set limits to freedom, the very thing which the State exists to secure; for freedom is the realization of man's political nature.

It follows from what has been said that any serious and intelligent argument in favor of abolishing private property in land by means of the single tax or otherwise must take this form: — Private property in land has defeated and is defeating the end for which the State exists,— the realization of man's nature or freedom. The State, therefore, is bound to abolish it.— If the premise could be proved,— if it could be shown, for example, that property in land makes one class of men merely the tools of another, and thus prevents them from attaining heights of culture and freedom for which they are ready and eager,— then the conclusion would be unavoidable, and the State's duty would be clear. But the facts of history point in the opposite direction. In property, as in everything else, division, differentiation, has been condition of progress; and there seems no reason to doubt that the abolition of property in land would be the setting up of an obstacle in the way of human good.

It would be easy to urge other objections to the single tax; but I content myself with the above, which seems to me fundamental.

And, in objecting to it as a specious lure to draw men back into a condition of unculture and bondage, I do not wish to be understood as maintaining that our present system of land tenure is ideal, and does not require improvement. I am convinced of the contrary; but improving is one thing and abolishing another. It is rarely advisable, and always a proof of thoughtlessness, "to empty out the baby with the bath."

3. REMARKS OF WILLIAM LLOYD GARRISON.

My theme is the justice of the single tax. Unless a reform is based on solid ethical foundations, it has no claim to the consideration of mankind. Demonstrate that it cannot be sustained in the court of morals, and there is no need of adducing material evidence against it. It is sufficient to say to it, as Newman said to Charles Kingsley, "Away with you into space!" The lawyer had forty reasons why his witness did not appear. After hearing his first reason,—that the witness was dead,—the judge wisely decided to waive the other thirty-nine. The opponents of the single tax have only to show that the scheme is tinctured with injustice, and they may save themselves the trouble of proving that a land tax would not bring enough revenue to support government, or that poverty does not keep pace with progress. The surprising thing is that people write books and magazine articles chiefly devoted to the question of expediency. Establish the fact that the principle is wrong, and why waste time on the details of its working?

As justice is the cardinal point of the single tax, the bed-rock upon which it plants itself and appeals to "the consideration of mankind and the gracious favor of Almighty God," the singularity of the assaults upon it consists in their general avoidance of this primal consideration. In the few minutes at my command, I propose to discuss nothing else, believing justice the paramount and all-important interest.

His Grace, the Duke of Argyll, in his famous attack upon "the Prophet of San Francisco," met the question squarely at the beginning by denouncing the "immoral doctrines" and "profligate conclusions" of "Progress and Poverty," "the unutterable meanness of the gigantic villany," and by stigmatizing its author as "such a Preacher of Unrighteousness as the world has never seen." In the masterly and elevated rejoinder of Mr. George, he says: "I admit, even more unreservedly than the Duke, the competence of the tribunal before which he cites me. I am willing to submit every question of political economy to the test of ethics. So far as I can see, there is no social law which does not conform

to moral law, and no social question which cannot be determined more quickly and certainly by appeal to moral perceptions than by appeal to intellectual perceptions. Nor can there be any dispute between us as to the issue to be joined. He charges me with advocating violation of the moral law in proposing robbery. I agree that robbery is a violation of the moral law, and is therefore, without further inquiry, to be condemned."

In this lofty spirit let us consider the "robber theory." The substance of the charge of injustice preferred against the single tax is that its operation would despoil certain land-owners of their vested property. It is conceded that not all would suffer,— nay, it is admitted that those who properly use their possessions would be benefited; but it is undoubted that speculators and monopolists, who neither use the natural opportunity held by them nor permit others to use it, will be losers. No matter how much deprivation to others this locking up of natural resources may be, our sympathy is asked not for the despoiled, but for the despoiler; and in his behalf great moral indignation is expended.

We repudiate the charge that we are the deniers of the rights of property. To quote Mr. George again: "We are the upholders and defenders of the rights of property. We say that the great French Convention was right when it asserted the sacred right of property. That there is a right of property, that comes from no human law, which antedates all human enactments,— that is a clear genesis. That which man produces, that which by his exertion he brings from the reservoir of nature and adapts to forms suited to gratify the wants of man,— that is his,— his as against all the world. If I by my labor catch a fish, that fish is and ought to be mine; if I make a machine, that machine belongs to me,— that is the sacred right of property. There is a clear title from the producer, resting upon the right of the individual to himself, to the use of his own powers, to his rights, and to the enjoyments of the results of his exertion,— the right that he may give, that he may sell, that he may bequeath."

Under this definition of property land cannot come. It is a bounty of nature, existing before man and necessary to his existence and prosperity. No title to its possession can be valid in the same sense that a title to the product of labor is valid and indefeasible. As Herbert Spencer puts it, "It can never be pretended that the existing titles to such property are legitimate. Violence, fraud, the prerogative of force, the claims of superior cunning,—

those are the sources to which those titles may be traced. The original deeds were written with the sword rather than with the pen; not lawyers, but soldiers, were the conveyancers; blows were the current coin given in payment; and, for seals, blood was used in preference to wax. Could valid claims be thus constituted?" And he insists that "either men have a right to make the soil private property or they have not. There is no medium. We must choose one of the two positions. There can be no half-and-half opinion. In the nature of things the fact must be either one way or the other. If men have not such a right, we are at once delivered from the several predicaments already pointed out. If they have such a right, then is that right absolutely sacred, not on any pretence to be violated. If they have such a right, then is his grace of Leeds justified in warning off tourists from Ben Mac Duhi, the Duke of Atholl in closing Glen Tilt, the Duke of Buccleugh in denying sites to the Free Church, and the Duke of Sutherland in banishing the Highlanders to make room for sheep-walks. If they have such a right, then it would be proper for the sole proprietor of any kingdom — a Jersey or Guernsey, for example — to impose just what regulations he might choose on its inhabitants,— to tell them that they should not live on his property unless they professed a certain religion, spoke a particular language, paid him a specified reverence, adopted an authorized dress, and conformed to all other conditions he might see fit to make. If they have such a right, then is there truth in that tenet of the ultra-Tory school, that the land-owners are the only legitimate rulers of a country,— that the people at large remain in it only by the land-owners' permission, and ought consequently to submit to the land-owners' rule, and respect whatever institution the land-owners set up. There is no escape from these inferences. They are necessary corollaries to the theory that the earth can become individual property. And they can only be repudiated by denying that theory."

What does the single tax contemplate? Taking from a man that which is his own? On the contrary, it insists on absolute respect for such possession, which, under our customs and laws, is so ruthlessly disregarded. It proposes to disturb no title and to bring no confusion by its beneficent arrangement. It simply means to take, in the way of taxes, for the benefit of the whole community, that annual rental value given to land, because of its situation, by the community itself. Where is the injustice in this? The creator of the value is entitled to that value; and for individ-

uals to appropriate what in truth belongs to the community, as under the present system, is not justice but its reverse. Because a wrong method obtains, whereby the individual is able by legal assistance to exact an unjust tribute from his fellow-citizens, why is it dishonest to try, by appealing to men's reason, to have the law changed?

If, because of time-honored custom, an artificial industry is flourishing under a protective tariff, permitting its owner to draw enforced tribute from consumers, is it a violation of the rights of property to annul that privilege by changing the law and to stop further spoliation? Nay, it is a bounden duty. It makes no difference whether the wrong is of recent birth or hoary with the mould and superstition of centuries. No lapse of time can convert a wrong into a right. And the parallel of the tariff immorality applies with double force to the unjust monopoly of land. Let me illustrate. At Killarney, in Ireland, I was informed, whether correctly or not, that the broad possessions of the Earl of Kenmare were the inheritance from the mistress of a profligate king. It matters not whether the fact is so or not. It is undeniable that the first possessor of this beautiful region became possessor of it by seizure and force. His successors thenceforth have been enabled to thrive by the subjection and contributions of the people who were destined by accident to inhabit that particular territory. By taking that annual value of the land and its appurtenances, by means of rent, the landlord has robbed labor of its fruits and produced a population of beggars, where, under the rule of justice, thrift and prosperity would naturally exist. Rent, more effectively than protective tariffs, can wring from labor its hard earnings and enrich idlers. The land-owner controls a natural opportunity essential to the existence of human beings, which he can lock up or withhold from them at pleasure, his interest growing with their needs. He may be an infant, an absentee, or an idiot. It is this system against which the single tax wars.

The confusion of thought which does not distinguish between the taking of rent by the individual and its collection by the community, as regards its effect upon the tenant, is astonishing. If a dozen people form a community, it is easy to see that taxes enacted for the equal benefit of the twelve are just, and as manifest that the same amount taken from the twelve for the benefit of one is an outrage on the other eleven. Moreover, ownership in land permits the landlord to take all the earning of labor applied to land, excepting enough for a bare subsistence. The single tax, on

the other hand, only asks that each occupant of land shall pay to all the people for the privilege accorded him. Now, the landlord's rent is a direct levy on the fruits of labor, in some cases amounting to practical confiscation. The single tax is powerless to subtract one cent from the earnings of the laborer or the products of his labor. Every improvement would be exempt, and a single tax on land values can never be shifted upon labor. Industry would then reap its true reward, and enforced poverty be an anomaly. Labor could employ itself.

If the single tax were an autocrat with arbitrary power, able immediately to upset the established order of things, there might be reason for dismay and epithets. In truth, it is an *idea*, dependent for its application upon the changed convictions of society through the legitimate instruments of instruction and argument. It detests dynamite, and antagonizes armies and navies, which are the types of force. It comes clean-handed before the tribunal of justice, addressing itself to the religious and moral forces, which are at the root of civilization.

What is legislation but the alteration of written law? Are statutes fixed and imperishable as principles? or are they the imperfect expression of the average sentiment, to be changed, altered, repealed, and amended, as the necessity of growth requires? Why, therefore, when advocates of the single tax express their determination to seek a change in the methods of taxation by legitimate processes, are they assailed in terms befitting marauders and public enemies? The language is as indefensible as the wrong it seeks to obscure. But, inasmuch as the owners of unused lands have invested their earnings therein in good faith, encouraged to do so by the law which recognizes land as individual property, ought they not to be compensated if the single tax destroys its speculative value? The same reply which Emerson gives to a similar question concerning investments in human flesh, which were also protected by law, applies here : —

> "Pay ransom to the owner,
> And fill the bag to the brim.
> Who is the owner? The slave is owner,
> And ever was. Pay him."

In other words, if compensation is to be made, render it to the sufferers, whose opportunities are curtailed by land monopoly, and not to the speculator, who profits at their expense. Unfortunately, restitution to the wronged is impossible. There is no natural fund from which to draw, and no unnatural surplus like the one

now squandered on pensions and personal rewards for party service. So the believers in the single tax, seeing that "indemnity for the past" is impossible, are struggling to assure "security for the future."

Nearly every change of statutes affects vested interests for good or ill. If the unjustifiable McKinley bill shall become a law, who can estimate the disturbance and individual losses in certain lines of business? And who proposes compensation to the injured ones? When legislation is destructive and partial, no such demands are made; but, at the mention of a reform which seeks the uplifting of the masses and the abolition of a system that breeds poverty, its pathway is blocked at once by the cry for compensation. The tender and sensitive consciences that are callous to the wide-spread degradation resulting from landlordism are shocked inexpressibly at the prospective loss of the landlord's unearned profits.

Tom Hood exclaimed, in reference to the shutting up of the London Zoölogical Gardens on Sunday,—

> "Spirit of Cant! have we not had enough
> To make Religion sad and sour and snubbish,
> But saints zoölogical must cant their stuff,
> As vessels cant their ballast-rattling rubbish?"

These lines could be admirably paraphrased to describe the condition of mind which affects holy horror at the immorality of the single tax.

I close with an expression of sincere conviction that no other reform in the world's history has been more considerate, more absolutely just, more in the interest and security of property, more scrupulous regarding individual rights, and more truly conservative than this. Its realization can only come through the gradual removal of the present crushing burdens of labor by and with the consent of the majority of the people. Every forward step can be tested in the light of experience and by the fullest trial. If the result is wrong, it will be the people who punish themselves; and in their hands the remedy always abides.

In the memorable words of Wendell Phillips: "The broadest and most far-sighted intellect is utterly unable to foresee the ultimate consequences of any great social change. Ask yourself, on all such occasions, if there be any element of right and wrong in the question, any principle of clear, natural justice that turns the scale. If so, take your part with the perfect and abstract right, and trust God to see that it shall prove the expedient."

4. THE MORAL BASIS OF PROPERTY IN LAND.

BY PROFESSOR J. B. CLARK, OF SMITH COLLEGE, NORTHAMPTON.

If the private holding of land be a wrong it is one that has a tinge of anarchism about it. The community has created the value that resides in land, and whoever usurps the ownership of it deals a blow at the community. What is more, he strikes at the basis of the civil order, since governments have been evolved in and through the effort to secure to each producer the value that he brings into existence, and it is anarchic in principle to habitually counteract this effort.

Of the wealth that resides in land the State is certainly the creator and the original and lawful owner. As a sovereign it has a certain ultimate ownership of all property. Treasures of every kind are, in the last analysis, its own. As the creator, not of the substance of the earth, but of the value residing in it, the State has a producer's immediate right to use and dispose of its product. If any theory depreciates either the State's reserved right over all wealth or its special producer's claim to the wealth residing in land, so much the worse for that theory; we, at any rate, will have none of it.

The distinction between land and its value is real and important. The essence of modern property is a claim, not on the particular thing that a man has made, but on the abstract quantity of wealth that resides in it. If, as a workman, I have earned two dollars by making something, my claim is satisfied by giving me, not the article itself, but the two dollars that it is worth. For the article I should probably have no use.

In very primitive times the easiest way to secure to a man the amount of wealth that he has created is to tie him, as it were, to the very thing that his hands have fashioned. Let him, and let no one else, own the hut that he has built. If he goes away, however, and the hut is not portable, he will lose his property, unless he can give to some one else a good title to it, and get for himself what it is worth in some portable shape. By giving up the

form of his property he keeps the content of it. Exchanges are the basis of modern economy. We make what we ourselves cannot use, and use what we cannot make. Binding our own particular concrete products to us would be our ruin; letting them go to the ends of the earth is our salvation. What we really make and need to keep is a value. That ought to remain with us. It is our essential property. The modern State has been evolved in and through its effort to secure it to us.

To completely own a thing is, as we have just noticed, to have the full right to alienate it; and alienating is what we regularly do. Most transfers of property are for pecuniary value directly received, but the transfer is equally valid if it is made for some other end. The right of a producer is to the personal gratification that he can get out of his product; and, if this be greater when he alienates it, in order to accomplish something to which he attaches more importance than a pecuniary payment, equity demands that he be allowed to so convey it, and that the title of the receiver be good.

As the creator of wealth residing in land the State has the natural right of alienation that is inherent in the ownership of property. Its rights would be infringed by denying to it this privilege. It will part with land only when more is to be gained by so doing than by keeping it. If it were forced to keep it it would have to forego a part of the benefit to be gotten from it.

As a sovereign, indeed, the State cannot forego that reserved right that it holds over all property. As a producer it must, in equity, be allowed to do what to itself seems best with any special product that it has brought into existence. When the patent goes from the land office to a pre-emptor a piece of land simply passes from the special and direct ownership of the government, and takes its place side by side with the houses, goods, live stock, etc., which the State reserves its right of ultimately controlling. It may be the policy of a State to content itself with this ultimate right, and to keep little or nothing immediately in its hands. It is the sovereign criterion of its own policy in this respect; and, if it elects to have all means of production in private hands, its acts in the pursuance of this choice are valid.

The State has alienated land in order to insure the creating of a vast amount of wealth, over which it reserves a sovereign's ultimate right, and also in order to secure ulterior ends of even greater importance.

Whether the policy were successful or not, the State's decision would be valid for all citizens. It has, in fact, been successful,— how much so this paper is too short to show. The great values have been created, and have been shared by business men and wage-earners as well as farmers and other landed proprietors. If a village merchant has not bought land it is because he could make what to him was worth more in some other way. The gains that come from owning land have set the standard of business profits. If a village blacksmith has not taken up a claim and become a homestead farmer it has been because he has been able to make the agricultural class pay for horse-shoeing what to him is an equivalent for the farmer's gains. The returns from land-owning have set the standard of wages.

In what do the returns from land consist? Do they come from the sale of crops? Far from it. Breaking the most docile prairie costs more than a sod crop will sell for. The farmer's gain lies, at first wholly, afterwards largely, in the increment of value attaching to his land. He starves now, that he may be independent hereafter. The thing that a blacksmith gets an equivalent for is the present worth of the farmer's coming independence. Artisans' daily wages are an offset for daily increments of land value. The gift of the government has been not to the farmer, but to the community. We shall see this later with equal or greater clearness.

It is to be noted that the early State made over the coming increments of land value largely to the men who by their presence were to bring them into existence. It was not pre-existing wealth with which the government endowed its citizens. It did not thrust its hand into its own pocket, and make over to the new comers a value therein found. What it gave to them was a future value that would come into existence if they settled in the country, not otherwise. "Here," said the young State to its immigrants, "is a possible value that you may create by your presence and activity: come, create and have it."

The attainment of the ends that the State had in view required that the land should be permanently alienated. Offer to settlers land with reservations that spoil the attractiveness of the offer,— declare that at a later date you will seize a part or the whole of the value attaching to it,— and how rapidly will the community grow in numbers and in wealth? It is in perpetual alienation, however, that the only difficulty lies. Clearly, the State can make over to citizens values that accrue within its jurisdiction; but will not

that jurisdiction be at an end by the time that the third or fourth generation is on the stage? If values attaching to land up to the year 1890 have been subject to the jurisdiction of a State that has elected to alienate them, the title of present possessors is good. What shall be done with later and smaller increments our limits forbid us to discuss; but the moral law is clear enough about them. If the present State elects to alienate the increments now in process of accruing, its act in so doing is valid. Up to the time when it changes its policy, the titles of its grantees are good. If it were to-day to elect to reserve to itself all future increments, it cannot in the execution of that decision seize any already accrued. There is much to be said pro and con, mainly con, of the effects of a seizure of future values that may attach to land.

Let us revert to the principle on which individual property rests, the right of a man to the value that he has created. In vindicating that right civilized government has been evolved, and to violate it by public acts would be to reverse the evolution. The wealth embodied in articles for consumption may still be guarded in the old and literal way of tying the articles to their possessors: it is impossible to guard capital thus. That is wealth embodied in aids to production, and it is the nature of the productive operation to take away from the user nearly all of these articles. The goods on the merchant's shelf go off,— the more quickly the better. So do the products of the mill and the farm. The producer does all that he can to expedite their departure. The machines and implements disappear also in due time, though in this case the departure is unwelcome to the user. He would like to have them last forever; but they will not. Buildings wear and decay, and the alluvium of the farm itself is wasted under cultivation. What we may term the substructure of the farm remains: it is the single exception to the law of waste and wear. Aids to production, as a rule, must leave their possessor if they are to do him any good.

Does his capital go from him? Yes, if the things that at first embody it have at their departure no substitutes behind them,— not if they do so leave them. In fact they must leave equivalents if production goes on. For the goods sold come new goods; for the worn tools come, first, salable products, and then new tools. An endless procession of capital goods passes into and out of the man's possession; but his essential capital, the principal sum or value that he has invested in his business, stays with him. If he has invested a hundred thousand dollars in an enterprise, unless a

calamity intervenes, he will keep it. For clearness I will call this principal sum or value his pure capital, and the things that at any particular moment embody the sum his concrete capital, or capital goods. It conduces to clearness to make these to include land. If a part of the amount invested be expended in buying a piece of ground the man will consider his pure capital intact. A corporation with a million dollars' worth of paid capital will not, in its reports, reduce that amount by a dollar because a hundred thousand dollars had gone into a building site. It is as convenient as it is philosophical to follow here this practical nomenclature. Pure capital is value embodied in productive instruments of any sort.

It is the nature of the fund in the possession of a particular user to perpetually change its outward forms. It may be said to live by transmigration: entering these material bodies to-day, it will pass into others to-morrow, and rest nowhere so long as production continues.

It is of course the content of capital goods,—the value in them, — that is important to their possessor. The form, in the absence of commercial friction, would be a matter of indifference. It can be changed at will. The content is what in reality ministers to the owner's well-being: it is the hundred thousand dollars that makes him comfortable.

It is the content that represents his sacrifices. To get the dollars, not a particular form of investment of them, the man has planned, worked, and saved. It is in the dollars, therefore, that his property rights inhere. He "made" them, as the expression is; he created the value that they express, and that a shifting lot of goods embodies. The task laid on a government is to protect this essence of property, this permanent result of sacrifice, this abiding means of well-being. Let the man have the value that he has earned. Let him keep the "money that he has made" and put into things that he has not made.

It is, indeed, the transmutations of form that introduce complications into the situation and make the work of guarding men's essential property less simple and easy than it might be; but the transmutations are in the highest degree essential, and it is the work of the government to facilitate them by every means in its power. Active exchanges are, first, productive: they bring indefinitely more wealth into existence than any system of tardy exchanges could do. They are, secondly, equitable; they tend to

equalize the rewards that follow personal sacrifices. Let pure capital earn ten per cent in one form and five in another, and by a sure and simple process that we see in daily operation it tends to transmute itself into the profitable form, and to leave the unprofitable one, till the gains of the two are reduced to an equality. It is by reason of this power of transmutation that interest, the percentage of itself that pure capital can earn, tends, in all departments of business, toward equality. No possible advantage can come permanently to a man because of the form in which his pure capital is invested; his well-being depends on the amount of the fund itself. When a State causes investments in land to be made as freely as any others there results the same productivity that we noticed as the result of the quick migration of the fund of pure capital; and there is the same equity in the sharing of the results. A land-owner has no advantage over men whose capital is in other forms.

A quickening of production often demands that more capital should vest itself in land than is now therein embodied. This means that the price of it needs to rise. In the hands of the man who has a dwelling-house on it, a lot produces two hundred dollars a year; in the hands of the man who would put a shop on it, it would yield four hundred. In the interest of society the shop-keeper ought to have it. He can get it by paying an amount based on what it is capable of producing. This potential product of land becomes the basis of its price; and it is the effect of the easy migration of pure capital from form to form to realize it as an actual product,— to actually make the lot go to the shop-keeper, who can develop the full service that it is capable of rendering to society.

The result of free investments in land is also a tendency to equity in distribution. There are men of property who are landless. Why? Because by their own election their capital is in other forms. Let the real estate investment become more advantageous for them, and their wealth will seek that form at once. The free purchase and sale of land,— in other words, the free movement of pure capital to this form of embodiment,— is the antithesis of favoritism and monopoly.

A result of the system is the placing of landlords and other capitalists in a uniform relation toward the empty-handed men of labor, the so-called proletariat. There are men who are landless, not because they choose to buy something besides land, but be-

cause they are not able to buy anything. They lack land solely because they lack pure capital to put into that form or into any other. If there are monopolists who oppress them, they are not the men whose means are invested in any one form of property, but the entire class of men who possess property, who monopolize the accumulated value that exists in society. If a worker can break over the barrier that surrounds that class, if he can acquire value, he can get land at will. If he has any case against the world, it is socialistic: his grievance consists in a lack of essential wealth, of accumulated value.

The free flow of pure capital to real estate investments has been, is, and for an indefinite time will be the chief means by which the worker may break over the barrier that separates him from the property-owning class. Land is the favorite receptacle for value about to be created and saved by laborers. Not to mention the homestead farmers, the workers in villages and cities are induced to labor and save largely by the special appeal that home-owning makes to them. Where they will not form co-operative societies or take stock in the companies that employ them, they will buy land and build houses. Loaning money on mortgage security is an acquiring of land value without the immediate possession of land; and it is the favorite investment that savings-banks make of workmen's accumulations. Paid up policies of insurance largely represent land value. In these ways the land is made to contain what we may term the nascent capital of society, the little accumulations of wealth that are slowly coming into existence through the earnings and savings of laborers. For wise reasons, then, the State has made investments in land free. It does its primary work when it protects values so invested. The State and no other may say into what form pure capital may go. It has said that it may go into land. For ends of its own it has so decided; and the ends are good. On a million of small properties in country and city are families of workers slowly accumulating the value that their land embodies. They are coming out from among the proletariat. If a dollar anywhere belongs to its owner, the one that from time to time they put into their homes does so. Will you measure the labor that the prospect of home-owning calls forth? Will you measure the thrift that it induces or gauge the manliness that the possession of it secures? Shall any State seize those accumulations? If it does, it will condense into an object-lesson the contents of more volumes than have been

written on the subject of Land Tenure. It will settle that issue for every other State.

SUPPLEMENTARY NOTE.

It has been said that every man has an inalienable right to land, and that the State violates this right when it assigns land to private owners. If so, the State is the party that is ultimately responsible. If the disinherited man has an action against the present owner, this owner has recourse against the State. But what is, in reality, the character of this natural right? Is it a right to literally till the earth? In a state of civilization this is impossible in the case of a large majority of men; and the claim resolves itself into a right to be maintained from the fruits of the earth.

Before the advent of civilization men got their food by severally occupying and using the land: after the advent of civilization they in reality occupy and use it collectively. A social organism, as such, is in possession of the tillable area, and is getting its food, clothing, and shelter, its comforts and pleasures, by making the best use that it can make of this instrument and of others. The end is accomplished by a division of labor that locates many men in shops, mills, railroad cars, steamships, etc. If a man gets out of the income of this collective body a share that maintains him, then his right to a maintenance from the earth is respected. It can be shown without difficulty that a maintenance comes to men generally more easily and in ampler measure under the system that assigns land for actual use to private owners than it would do in any other way. Though the immediate ownership is private, the ultimate ownership and the actual benefit are public.*

* A fuller presentation of this subject may be found in the *Ethical Record* for October of the present year.

5. A SINGLE LAND TAX FROM THE POINT OF VIEW OF PUBLIC FINANCE.

BY E. BENJAMIN ANDREWS,

PRESIDENT OF BROWN UNIVERSITY.

Latifundia perdidere Italiam, Pliny wrote. Will America perish in the same way? I have long been convinced that the break between land and people by the general prevalence of the Roman or feudal tenure has become a terrible evil, and that it operates much as Henry George describes, diminishing production, congesting wealth, and multiplying injustice, poverty, and vice. An increasing number of able English and American writers share this view; and it is masterfully argued in much the most considerable economic work of the decade, Achille Loria's "Analysis of Property under the Capitalist Régime," published at Turin last year. To turn the golden stream of economic rent partly or mostly into the State's treasury, where it would relieve the public of taxation in burdensome forms, seems to me extraordinarily desirable. I by no means concur in all the reasons which many assign for this; nor should I expect from it, even if carried to Mr. George's length, more than half the benefits to society which he anticipates. Still, the proposition to lay the main tax on land impresses me as just, safe, accordant with the best canons of public finance, and in fact every way excellent.

But I, for my part, should deprecate an absolutely single tax system of any sort, the more if the one tax were upon land. When Professor Harris and Mr. Atkinson, referring to the United States, and Mr. Richard Simon, with reference to Great Britain, held forth that the economic rent of the nation's land would not suffice for its revenue, I was anxious to agree with them, though I could not. It occurred to me that, if they were right, we could beautifully remedy the evils of *latifundia*, land dearth and speculation, without entirely ceasing to draw public revenue from other sources than rent. I suppose, however, that, as a matter of fact, rent would pay all our taxes and leave a vast sum remaining. Were the State to take it all, the fund would be greater than it

could safely disburse, inducing subventions to all sorts of people, which could not but work detriment to their economic character. On the other hand, should the State not take the surplus rent, the evils attaching to our land tenure, instead of being cured, would be simply more or less assuaged. I should, however, prefer this as far the lesser evil. To collect unnecessary revenue is, in finance, the unpardonable sin; and it would in the end work as ill socially as it would financially.

Whatever advantages of a purely social nature might attend sweeping simplicity in taxation, such a scheme would, as a measure of public finance, involve considerable difficulties. These may seem petty until reflected on, and might not at any rate prove decisive; but they are certainly of weight enough to deserve attentive consideration. It would not be strange, should friends of the single tax not have studied it so closely in this relation as in its directly social bearings.

I make little of the objection suggested by Sir Charles Dilke in his "Problems of Greater Britain," referring to Newfoundland, that, in a country so sparsely settled, justly to levy and collect a land tax would cost more than the amount of the tax. The point is, however, worth mentioning in debate upon a revenue scheme for the United States.

Another consideration, speaking for a manifold as against a single tax, is the impossibility in either case of a fair assessment. A just levy is more easily attainable on land values than anywhere else, this being among the chief advantages of a land tax. But perfect equity is by no means to be had even here. No particular tax can be carried through save with injustice somewhere, weighting this man too heavily, the next too lightly. Now, it is clear on slight thought that any single tax system exaggerates every such unfairness to the utmost, while by settling taxes on many things you tend to offset losses with gains.

More serious still is it that a single tax system of any sort would greatly lack elasticity. To secure this quality, you must tax so many articles that surpluses may be put over against deficits between them, and some of the articles must be of such a nature that the burden upon them may in an emergency be suddenly increased.

No minister of finance will ever have the omniscience to make the revenue and expenditure sides of his yearly budget balance exactly. Income may fall short: it may be redundant. As it is

visibly bad policy to plan for a surplus, he must each year be prepared to meet a deficit. Now, the most economical way to do this is by an instant increase of taxation on some commodity that will bear it. Any form of impost may be suddenly lowered, but few are those which can with safety be suddenly raised. A land tax or a house tax is specially ill fitted for this. Income taxes perform the service very neatly; and, as is well known, Great Britain has long resorted to them for this purpose. Not, however, in the most recent case, Mr. Goschen's budget of April, 1889, substituting for the usual increased levy on incomes a death or succession tax on estates of £10,000 or more, which has thus far worked well. A tax on liquors has usually been considered the ideal "buffer"; yet even this served Mr. Gladstone ill, ousting him from office at the last Conservative victory. Obviously, none of the imposts mentioned would serve happily as the substantive tax; but these, or some of them, or others similar, are necessary as ancillary taxes, to render your system supple and safe.

It may be rejoined that this objection is valid only against Shearman, who wishes the State to take no more rent than is necessary, but not against George, who is going to draw all rent into the public treasury, making a deficit impossible.

I reply that inelasticity will balk the single tax plan about equally, whether all rent is assumed by the State or only a part. In neither case can you safely allow a great surplus to lie idle in the treasury. You must appropriate all of it for regular purposes, more or less legitimate. The greater your revenue over necessary outlays, the less proper will be the objects to which you will apply it: still it must and will be applied. Now, the point is that in an emergency of deficit you will have to withdraw from some of these objects; and, whatever they are, trouble will result. To deprive the people of circuses or bread would occasion no less rebellion than to dock wages in army or navy or the salaries of Congressmen.

Again, other taxes than a land tax are needed for regulative and disciplinary purposes. I do not refer primarily to taxation upon traffic in intoxicants, although there are very strong reasons for supposing this the best means of handling that gigantic evil. The ethical objection to it, that it makes the State partner in crime, I regard as wholly fanciful, deriving its entire force from the double sense of the word "license." It can be safely said that no State ever "licensed" the sale of liquor with the thought

of furthering it as a good thing. A liquor tax is of the nature of those *amercements* anciently so common in English law, intended to repress acknowledged evils which the State was not yet in condition to handle as crimes in the legal sense. Abolish the word "license" from this discussion, supplying liquor-dealers duly "amerced" each with his "Bill of Amercement" instead of his "license," and the theory of liquor taxation would appear in its proper light.

Nor is this attribution of a punitive character to taxation in certain cases either new or strange. Wagner is by no means its author. From the dawn of Cameral Science, even in Adam Smith's Fifth Book and in Leroy-Beaulieu, where *laissez faire* is so pronounced, it has been recognized as imperative that taxation should keep in view the great ends of culture and civilization.

But society suffers from other licenses than those to sell liquor, from other monopolies than that of land; and nothing is easier than to reduce the power of any of these by taxation. It is a great error to suppose that such a burden could be shifted to the purchasers of the monopolized commodity. The paper upon "The Economic Law of Monopoly" presented at the session of this Association a year ago proved that prices under monopoly are fixed not at all by competition, but according to the "Law of the Tolerance of the Market." That is, they always tend toward the point of maximum gross profits, to which, should they go higher, they would inevitably be brought back by such decrease of sales as would cut down the aggregate income. Tax any line of goods already selling so, and the entire tax must come from the producer: no part of it can be extorted from consumers. The logic here is precisely the same as that which proves it impossible to make rent-payers suffer from a tax on rent.

So clear is the chance to touch monopolies through taxation that some might pronounce such taxes no less worthy than a land tax to occupy the substantive place in a revenue system. I do not think so. In the case of any successful monopoly, a certain portion of the winnings is due to administrative skill and effort, and is not the gift of society. Land value, on the other hand, is purely the creature of social deed and toil.

Professor Patten shows how a monopoly tax may also be utilized for the immensely important purpose of steadying retail prices, but brevity forbids more than a mention of such a possibility in this place.

Lastly, it is an old maxim of political science that a constitutional government must be kept poor, dependent, unable to get money except by the deliberate act of its constituents. The doctrine has history behind it and human nature beneath. A Republic is no safer in this matter than a Monarchy. Let its ruling powers have access to resources which are not voted to them item by item after debate and reflection, and liberty will soon be but a name.

Now, by the operation of the single tax in the form desired by Mr. George, government is provided with the most ample revenues in a dangerously silent, imperceptible, and automatic manner. The system once launched, the State waxes rich, sleeping or waking, as do landlords in growing cities. Increased revenue comes without debate or observation. No budget is presented or discussed. No general appropriation bill is put forward to be argued pro and con. Public assessors, incessantly but noiselessly at work, ascertain and register each rise in land value, while collectors at once, without ado, drain the additional rent into the public till. Of course, the individuals who have this year to pay more rent than last are aware of the difference and may complain. But such voices, being isolated, would be without volume or unity, and hence without effect. In certain localities rents would be falling at the same time, no one knowing how much. There could be no common consciousness of drain. Even exact publication of the State's financial condition could not beget this,— certainly not as it would do if every dollar received had to be voted by the representatives of the people in the form of a tax which men would feel. American financiering since our Treasury surplus began is proof of this.

To sum up, desirable as it would be to fasten our chief tax upon land, we should not be beguiled by the seductive idea of simplicity into the exclusion of other kinds of impost, since that course would, among other things, (1) aggravate the wrong of all imperfect assessments,— which are unavoidable,— (2) produce a most inelastic revenue system, (3) cut us off from a much needed weapon for disciplining minatory and refractory businesses, and (4) gravely threaten free institutions.

6. ADDRESS OF PROFESSOR EDWIN R. A. SELIGMAN,

OF COLUMBIA COLLEGE, NEW YORK.

In this discussion of the single tax on land, it may be well to turn our attention to some points commonly overlooked. I shall not discuss the adequacy of the tax, although there is grave doubt on that point. I shall not discuss the political feasibility of the tax, nor the marvellous short-sightedness of those who are Utopian enough to believe that the federal indirect taxes will ever be totally abolished. I shall not discuss the real social basis of the tax, — the idea that with the imposition of the single tax all poverty and suffering will disappear, and the millennium of economic felicity come to hand. I shall not discuss the history of the single tax, although perhaps just a word on this subject would not be out of place here.

It has unfortunately been asserted by some of the opponents of Mr. George that Turgot introduced the single tax into France. This is a gross mistake. All students of economics know that the Physiocrats had three cardinal doctrines: (1) natural law and *laissez faire;* (2) the sole productivity of land; and (3) the single tax on land. Some of the leaders, like Gournay, emphasized the first point; others, like Quesnay, the last. Now, Turgot was a follower of Gournay, and nowhere in his political career did he lay any stress on the single tax. His celebrated six edicts in 1774 relate to entirely different matters. The only practical effort ever made by the Physiocrats was that of Dupont de Nemours in the Assembly, when all indirect taxes were abolished for a time. But the single tax was never introduced. On the other hand, it is a fact, perhaps unknown to most of those present, that a serious attempt was made in another country to naturalize the single tax. Margrave Charles Frederick of Baden was a devoted student and follower of Quesnay, and decided to put his ideas into practice. He chose three little towns in his domain,— Dietlingen, Theningen, and Balingen,— and during the seventies abolished all taxes, replacing them with a single tax on land. The

experiment with this *impôt unique* lasted only a few years. It produced such dire distress among the farmers and peasant owners, such shameless exemption of all other classes, as almost to cause an uprising; and it was ingloriously abolished, never to be renewed. So much for the only practical realization of the single tax.

But, as I have said, I do not wish to discuss its history to-day. I desire to say only a few words as to the problem in its relation to the general science of finance, which is with us almost an untrodden field. The expositions of Adam Smith and Ricardo are fragmentary and inadequate. Even J. S. Mill devoted only a few pages to it. To-day even, in English there is not a single comprehensive work on finance. No wonder that principles of taxation should be so little understood.

Let us test the single tax in the light of certain fundamental principles. Three of the chief principles in taxation are universality, equality, and justice.

If anything was gained by the French Revolution and the increasing conscience of modern nations, it is a recognition of the fact that all owe a duty to support the State; that a system of wholesale exemptions is an iniquitous one; and that all taxpayers, within a certain class, should be treated uniformly according to the same standard. In other words, universality and equality of taxation represent the hard earned victory of modern over mediæval ideas. In this country we have of late been favored with two plans of taxation which, although utterly dissimilar, have usually been confounded by most people. One is the project of Mr. Isaac Sherman, to lay all State and local taxes at least on real estate. But this plan was based on the argument that the tax would be diffused throughout the community because it would fall on the consumers; and, as every one is a consumer, all would in reality be bearing their share of the burden. Now, it is remarkable that what constituted the chief merit of the tax in the eyes of this party should be regarded in precisely the opposite way by the advocates of the second plan, the single tax on land values. Mr. Isaac Sherman said the tax on real estate falls only nominally on the owners but is shifted on the consumers, and is therefore to be recommended. Henry George says the tax on land values will stay where it is put, on the land-owner, and is to be recommended precisely because it will *not* be shifted on the consumers. You see the fundamental difference between the two theories.

This is not the place to enter into a discussion of Mr. Sherman's plan. Real estate includes not only land, but the fixtures thereto, like houses, machinery, and, in some States at least, such seemingly different elements as the rolling stock of railroad corporations. A real estate tax is thus in reality composed of a number of very diverse taxes, and the incidence of each tax is governed by entirely distinct laws. Without entering into any detailed proof, I may say that Mr. Sherman's alleged general diffusion of such a complex tax is a mere chimera. Henry George is therefore substantially right in maintaining, with Adam Smith, Ricardo, and Mill, that a tax on land values — *i.e.*, a tax on economic rent — will fall wholly on the owner. I say substantially, because some refinements of the doctrine of Ricardo, which is accepted by Mr. George, have lately been developed by students of finance which show that in certain conditions the tax on city ground rents may in part be shifted on to the consumer, that is, the occupier, the tenant.

But, granting the substantial accuracy of George's position, what is the result? Simply, that whole classes of the community will be entirely exempt from taxes,— will go absolutely scot-free, — and that one class will bear the burdens for all the rest. In other words, we shall be in a far worse condition than in mediæval France; for there at least there was never such a wholesale infraction of the laws of universality and equality of taxation. Reflect a moment on what this means. The criticisms directed against our American system of the general property tax are true enough, in so far as they show the utter failure of our law to reach personal property. Owners of the large fortunes invested, not in realty, but in business or securities, and all those that derive incomes from other sources than real estate, are gradually escaping taxation. Now, while there may be some dispute as to whether in our day the mass of personal property exceeds that of real estate, there can be no possible questioning of the fact that the fraction of real estate which is represented by land is far less in value than the combination of houses, machinery, fixtures, and all the other capital and consumable goods known as personal property. That is, land alone is only a smaller proportion of the total national wealth. Is it then not a violation of the most fundamental principles to make a small minority bear not only its own share of taxes, but also the share of the large majority who go entirely free?

The advocate of the single tax must take one of two positions. The first is this. It may be maintained that the tax will not fall on future owners or purchasers of the land, on the principle that a partial tax on any property or income — a tax on a single kind of property or income to the exclusion of all other kinds of property — will result in a depreciation of the value of the property tantamount to a capitalization of the tax. Suppose, for example, that only one class of corporations is taxed. Before the tax was imposed, it was paying, let us say, 5 per cent. dividends on its stock quoted at par. Now, if a tax of 10 per cent. be imposed on the dividends, the stockholder will get only $4\frac{1}{2}$ per cent. But, as all other classes of corporations are untaxed, and the profits on other investments have remained the same, the price of this particular corporation stock will inevitably fall, *cæteris paribus*, to 90. People who can get 5 per cent. on their capital will not ordinarily consent to take $4\frac{1}{2}$ per cent. The new purchaser who buys at 90 will therefore virtually escape taxation, because the amount of the tax has been discounted in the depreciation of the security. The original holder, however, will lose doubly,— once in his decreased dividend, and again in the depreciation of his capital invested in the shares. If, now, we apply the same argument to the single tax, it is apparent that the value of the land will fall in exact proportion to the increase of the tax, until when the tax equals the entire rent the value of the land will be zero. During these successive stages, however, the new purchasers lose nothing. The diminished rent will still yield them the same rate of interest as before, because of the diminished capital value on which the interest is computed. The total loss thus will fall entirely on the original owner or the holder before the partial tax was imposed. They will lose both in the increased taxes and in the decreased value of their land. Now, the State has plainly no right to tax this particular small class of present owners to the exclusion of all others. If we remember the facility of land transfer in the United States, and if we would take the trouble to look up the real estate records, we should find that the great majority of plots of land owned to-day have been purchased within a very recent period, and that the whole preceding "unearned increment" has been capitalized into the swollen selling value of the land.

If the single tax be imposed, it would be necessary to compensate the existing owners; that is, in case the whole rent be taken, to pay them the whole capital value of the land. Any

other plan would be sheer confiscation. As J. S. Mill has said: "Except the proposal of applying a sponge to the national debt, no such palpable violation of common honesty has ever found support in this country. Should the scheme ever enlist a large party in its support, the fact would indicate a laxity of pecuniary integrity in national affairs scarcely inferior to American repudiation." Mr. Mill desired to make the tax applicable only to future unearned increment, which, of course, is the only honest method, the only possible method in a community so tenacious of vested interests as the United States. But, if the State must compensate the owners,— must buy out the land at its present value,— it is plain that little will be gained; for the interest which the State must pay on the debt incurred for this land-purchase scheme will obviously be equal to the total tax on land values. What the government receives in the way of economic rent it must pay as interest on its land-purchase bonds. The tax on land values will therefore not go to defray the other governmental expense at all; and it will be only with the slow increase of future land values that the tax will begin to be of any use to the government, although always for this reason miserably inadequate.

This is the first horn of the dilemma. The other is this. If it be argued that the tax does not fall exclusively on present owners, but also on future holders or purchasers of land, then the tax stands equally convicted. A and B each have $100,000. A invests his money in land, B in railroad bonds. What a gross perversion of the first principles of equality is it to make A pay all the taxes and B none! For the argument that the railroad pays taxes on its land, and that B indirectly is reached, is not valid. The tax would not hit B even if he were a shareholder (for reasons which will be found fully explained in a forthcoming article by me on the incidence of the tax on corporations*); and it will certainly not hit B as bondholder, because his interest on the mortgage bonds is a fixed percentage, entirely irrespective of taxation of the corporation. He will get his 4 or 5 per cent. at any rate, no matter what taxes the railroad pays. The advocates of the single tax base their argument on the assumption that our land-owners have owned the land immemorially. They forget that most of the land — at all events, the valuable land in large cities — has been purchased at fair cash values within recent periods. And, if it be maintained that the land of A will in-

* *Political Science Quarterly*, December, 1890.

crease in value without any labor on his part, it may be equally maintained that, with the inevitable falling of the rate of interest and the increased prosperity of the railroad, due to increase of population and wealth, the value of the railroad bond is bound to appreciate. The railroad may be mismanaged, it is true, and the value of the bond decline; but so also may the value of the land, owing to a change in fashion or a decrease of municipal prosperity. But both cases are abnormal. The value of a railroad bond is bound to increase with the prosperity of the country, and the owner will have this unearned increment. But, even granting that there were no unearned increment in railroad or other bonds, what shadow of justifiability is there in laying all the taxes on A, who has paid full value for his land, and who has not yet, and will not for several years, enjoy any unearned increment on the value that he has paid? Even if we accept the fundamental basis of Mr. George's reasoning, we could lay the single tax only on those who have enjoyed some unearned increment; and we should have to exempt from taxation the whole amount paid for the land by existing owners; and the tax would then of course become a farce.

These, then, are the two horns of the dilemma. If the tax falls only on present, and not on future owners of land, the State, unless it were willing to indulge in outright confiscation of what has been paid for in cash value, must compensate the owner and thus render the tax utterly nugatory. If the tax falls also on future holders, it will be imposing a most unequal burden on all that land whose successive unearned increment has been capitalized into an appreciation of the capital value for which the land has been bought. What has been conceived in the spirit of equality would result in the most shameless exemption of whole classes of the community. Since the tax cannot possibly be shifted on to the consumers we should have a violation of the principles of universality and equality such as has never been dreamed of before in civilized society.

We come now to the most important theoretic objection to the single tax,— an objection that we can best discuss in connection with the principle of justice in taxation. The fundamental basis of the single tax argument is the contention that individuals should contribute to the burdens of the State in proportion to the peculiar advantages which they receive. Mr. George, in the July *Century*, gives us the picture of a large apartment house where each tenant pays rent in proportion to the conveniences that he enjoys,

whether in location, light, size, or other qualities of his apartment; and he likens the tax-payer to the tenant of this huge edifice. Now, this is an old, old idea, and I may say a long exploded idea in the history of finance. The question is this: What is the basis and what the test of taxation,— the principle of benefits or the principle of ability? What Mr. George so eloquently describes is what is known in finance as the principle of advantages or benefits. The argument has really two branches: (1) as to the basis of taxation; (2) as to the norm, or standard, of taxation.

(1) As to the basis of taxation. Why has the State a right to tax us? A century ago, when the Physiocrats wrote, and when the absolutisms of Central Europe loaded down their subjects with grievous burdens, and devoted the proceeds to their own petty pleasures,— in France the peasant was taxable *à merci et miséricorde* of the *noblesse*,— it was natural that a school should rise to protest, and to proclaim the principle of benefits. We pay the State, said this school of excessive individualists, because the State protects us. We pay to the State because the State benefits us, with the implicit deduction, of course, that if the State did not benefit the individual the latter should not be held to pay anything. This is the argument known variously as the *quid pro quo* argument, the "price for protection" argument, the "give and take" argument, and the "social dividend" argument,— the latter from the contention of Thiers, that the State was like a huge corporation or insurance company, where the members paid premiums only as they received returns or dividends. Now, this benefits argument, which at the beginning of the century was the dominant one and which to-day yet figures extensively in the decisions of some of our courts, has been totally and unconditionally rejected by the political economists of the last fifty years. The reason that we pay taxes is not because the State protects us or because we get any benefits from the State, but simply because the State is a part of us. The duty of supporting and protecting it is born with us. The State in civilized society is as much a necessity to the individual as the air he breathes. He cannot live beyond the State, unless he reverts to stateless savagery and anarchy. His every action is conditioned by the fact of the State. He does not choose the State, but is born into it. It is interwoven with every fibre of his existence; and, in the last resort, he gives to the State, if need be, his very life. To say that he supports the State only because the State benefits him is

the most shallow and selfish of doctrines. It is sufficient for those self-complacent individualists who see in the State nothing but the night-watchman of society; but it is sufficient only for these. As soon as our political science rises to the dignified and worthy conception of the State, just so soon does the *quid pro quo*, the protection or benefit theory, fall to the ground; and all modern theory has accepted the new version as the only true one. We pay taxes not because we get benefits from the State but because it is as much our duty to support the State as to support ourselves or our family, because, in short, the State is an integral part of us.

But, granting now that the principle of benefits is not the reason of taxation, we come to the second part of the problem, namely: (2) Is the principle of benefits the measure of taxation? Ought we to pay our taxes according to the amount of benefits we receive? Those who, like Mr. George, answer in the affirmative are guilty of a confusion of thought and ignorant of the history of the science of finance.

All State revenues may be divided into three great classes,— (1) from the ownership or management of State property, (2) from various lucrative prerogatives, (3) from compulsory contributions. These compulsory contributions may be subdivided into three great classes,— (1) fees or tolls, (2) assessments, (3) taxes. Now, fees and assessments are indeed paid in accordance with the principle of benefits. Take the case of fees. I demand the service of the sheriff, and pay a fee, and rightfully so, because I put him to an extra expense for my sake. I demand a marriage license, and pay a fee because it benefits me individually. I travel over a toll-road and pay a fee or toll because I and other wagon-owners put the district to an expense and derive special benefit from its existence. Take again the case of what is known as a special assessment. A sewer is put through my street. It is right that I should pay a portion of the expense because my property will receive a special benefit from it. A new road is laid out or a new park constructed before my lot. It is right that I should pay toward it because my property is peculiarly benefited by it. In both these large classes of cases, which in the science of finance are called fees and assessments (Adam Smith called them particular contributions), the ruling principle is, and should be, that of benefits conferred.

But when we come to the department of taxes we come to an

entirely different domain. Taxes are wholly distinct from both fees and assessments. A tax is not paid for any particular service, otherwise it would be a fee, and not a tax; nor is a tax paid for an action which will benefit me more than the rest of the community in general, for then it would be a special assessment, and not a tax. A tax is paid as a forced contribution to the general public needs of the commonwealth. Every one is equally interested in the State, because he cannot exist without the State. The principle of contribution becomes shifted from that of benefits to that of ability, of faculty, of capacity. Every man now must support the State to the full extent, if need be, of his ability to pay. He does not measure the benefits of State action to himself: first, because the benefits are quantitatively immeasurable; and, secondly, because, if he is a patriot, he considers not the welfare of himself, but of the community at large, and he contributes to this general welfare, not in proportion to any share of personal aggrandizement, but in accordance with the elevated ethical conception of relative ability.

This, then, is the grand line of demarcation which separates taxes from fees and assessments. This is the reason why taxes are always the latest historical growth of State revenues. This is the reason why, in any line of governmental action, you can trace the development of the principle of benefits into the principle of ability. Take the common highways. At first, the highway is in the hands of a robber baron who exacts from the unfortunate passer-by what he chooses. In the next phase the highway is in the hands of the community; but every traveller is compelled to pay a toll in accordance with the presumed value of this service, — the heavy coach more than the light one, the equestrian more than the foot passenger. That is the principle of benefits. Finally, the advantages of the high road are deemed so important to the whole community that the tolls are abolished, and the expenses are borne by all the citizens,— not alone by those who derive a peculiar benefit, but by all. The principle changes from fees to taxes, the theory from that of benefits to that of ability. So the canals were formerly in the hands of feudal nobles, then supported by tolls by those using them, then finally free to all and maintained by taxes.

And so historically with every other department of government. The principle of benefits is everywhere discarded with the growth of the commonwealth. The tenant in Henry George's huge apart-

ment house pays not taxes, but fees. He chooses his apartment, demands and expects only a particular service, and pays only for that service. But the citizen of a modern State is different. In so far as he demands particular services, he pays his particular fees. But, in so far as he is born into the State, he is bound to support it to the best of his ability. Of course, if he is in a worse position than his neighbor, he will pay less taxes. But he will pay less taxes, not because he gets less benefits than his neighbor, but because he cannot afford to pay as much,— because, in short, his ability is less.

The principle of benefits, moreover, would lead us into the greatest absurdities. If we accept it, we must apply it logically. We must not restrict its beneficent workings only to the land-owner. One of the greatest benefits conferred by the State is that of protection. Now, the poor man is more protected in proportion than the rich. The Hudson River Railroad Company in its late strike was able to hire Pinkerton detectives to protect it. The poor man can hire no one, but must depend entirely on the State. According to this theory of benefits, then, the poor man must be taxed more than the rich. In truth, the benefits conferred by State action are quantitatively immeasurable. How can an individual measure the particular value to him of the schools, of the courts, of the police? To say that the benefits must be restricted to the unearned increment is wholly arbitrary, for that is only one of the benefits. And, even if we select unearned increment as the test of benefits, why restrict it to the unearned increment of land? Why is not the fortunate owner of railroad bonds, or of books or pictures, or the manager of a successful pool or ring or corner in produce, equally liable to pay for the unearned increment which the mere action of society has added to the value of his possessions? The principle of benefits or advantages, even if accepted as the measure of taxation, would not by any means result in the single tax. But, as we have seen, it cannot be accepted as the measure of taxation. Ability, faculty, not benefit, is the test and standard of justice in taxation. All great writers in finance accept this principle; and he who would again go back to the principle of benefits is guilty of a confusion of thought and ignorant of the history of the science he wishes to expound.

The problem of modern taxation is to define the constituent elements of this relative ability. It is the corner-stone on which the whole system of taxation must rest. But it is safe to say that

land rent is no satisfactory index of this ability. The subject of taxation is a far more delicate one than is dreamed of by those enthusiasts who would trample rough-shod over all existing institutions, and make *tabula rasa*. The naïve idea that the wants of a modern State may be supplied by a single tax is not a new one. In the middle of the eighteenth century there was a great single tax party in England, but its motto was a single tax on houses. In this century we have had enthusiasts for the single tax on expense, and in different parts of the Continent numerous votaries of the single tax on income; and at different times in the history of the world we have had the single tax on property. But the advocates of all these measures have been men without thorough training in economics, without a conception of the necessary complication of all modern revenue systems. There are to-day economists, worthy of the name, who are protectionists; there are economists, justly so called, who are socialists; but throughout the wide world to-day there is not a single man with a thorough training in the history of economics, or an acquaintance with the science of finance, who is an advocate of the single tax on land values. In biology, in astronomy, in metaphysics, we bow down before the specialist; but every man whose knowledge of economics or the science of finance is derived from the daily papers, or one or two books with lop-sided ideas, thinks that he is a full-fledged scientist, able to instruct the closest student of the markets or of the political and social organism.

Our system of taxation is far from being an ideal or even an approximately just system. We are still clinging in a great degree to mediæval errors. But, whatever be the much needed reform, it is safe to say that neither the American people nor the scientific student of finance will ever accept a scheme which is palpably unjust, which is either recklessly dishonest or irretrievably unequal, which consciously abandons the whole ideal theory of modern taxation,— that of relative ability or faculty,— and which seeks to put the burdens of the many on the shoulders of the few.

THE SINGLE TAX PLATFORM.

ADOPTED BY THE NATIONAL CONFERENCE OF THE SINGLE TAX LEAGUE OF THE UNITED STATES AT COOPER UNION, NEW YORK, SEPT. 3, 1890.

[At this stage of the discussion, it seems proper to print the official declaration of the Single Tax League of the United States, adopted at New York in national conference, two days before the debate at Saratoga. This document may serve to correct any misunderstanding of the propositions laid down by Mr. George and his friends at Saratoga.]

We assert as our fundamental principle the self-evident truth enunciated in the Declaration of American Independence, that all men are created equal and are endowed by their Creator with certain inalienable rights.

We hold that all men are equally entitled to the use and enjoyment of what God has created and of what is gained by the general growth and improvement of the community of which they are a part. Therefore, no one should be permitted to hold natural opportunities without a fair return to all for any special privilege thus accorded to him, and that value which the growth and improvement of the community attach to land should be taken for the use of the community.

We hold that each man is entitled to what he produces. Therefore, no tax should be levied on the products of labor.

To carry out these principles, we are in favor of raising all public revenues for national, State, county, and municipal purposes by a single tax upon land values, irrespective of improvements, and of the abolition of all forms of direct and indirect taxation.

Since in all our States we now levy some tax on the value of land, the single tax can be instituted by the simple and easy way of abolishing, one after another, all other taxes now levied, and commensurately increasing the tax on land values, until we draw upon that one source for all expenses of government, the revenue being divided between local governments, State governments, and the general government, as the revenue from direct taxes is now divided between the local and State governments; or a direct assessment being made by the general government upon the States, and paid by them from revenues collected in this manner.

The single tax we propose is not a tax on land, and therefore would not fall on the use of land and become a tax on labor.

It is a tax, not on land, but on the value of land. Thus it would not fall on all land, but only on valuable land, and on that not in proportion to the use made of it, but in proportion to its value,— the premium which the user of land must pay to the owner, either in purchase money or rent, for permission to use valuable land. It would thus be a tax not on the use or improvement of land, but on the ownership of land, taking what would otherwise go to the owner as owner, and not as user.

In assessments under the single tax all values created by individual use or improvement would be excluded, and the only value taken into consideration would be the value attaching to the bare land by reason of neighborhood, etc., to be determined by impartial periodical assessments. Thus the farmer would have no more taxes to pay than the speculator who held a similar piece of land idle, and the man who on a city lot erected a valuable building would be taxed no more than the man who held a similar lot vacant.

The single tax, in short, would call upon men to contribute to the public revenues, not in proportion to what they produce or accumulate, but in proportion to the value of the natural opportunities they hold. It would compel them to pay just as much for holding land idle as for putting it to its fullest use.

The single tax, therefore, would —

1. Take the weight of taxation off of the agricultural districts where land has little or no value irrespective of improvements, and put it on towns and cities where bare land rises to a value of millions of dollars per acre.

2. Dispense with a multiplicity of taxes and a horde of tax-gatherers, simplify government, and greatly reduce its cost.

3. Do away with the fraud, corruption, and gross inequality inseparable from our present methods of taxation, which allow the rich to escape, while they grind the poor. Land cannot be hid or carried off, and its value can be ascertained with greater ease and certainty than any other.

4. Give us with all the world as perfect freedom of trade as now exists between the States of our Union, thus enabling our people to share, through free exchanges, in all the advantages which nature has given to other countries, or which the peculiar skill of other peoples has enabled them to attain. It would destroy the trusts, monopolies, and corruptions which are the outgrowths of the tariff. It would do away with the fines and penalties now levied on any one who improves a farm, erects a house, builds a machine, or in any way adds to the general stock of wealth. It would leave every one free to apply labor or expend capital in production or exchange without fine or restriction, and would leave to each the full product of his exertion.

5. It would, on the other hand, by taking for public use that value which attaches to land by reason of the growth and improvement of the community, make the holding of land unprofitable to the mere owner, and profitable only to the user. It would thus

make it impossible for speculators and monopolists to hold natural opportunities unused or only half used, and would throw open to labor the illimitable field of employment which the earth offers to man. It would thus solve the labor problem, do away with involuntary poverty, raise wages in all occupations to the full earnings of labor, make overproduction impossible until all human wants are satisfied, render labor-saving inventions a blessing to all, and cause such an enormous production and such an equitable distribution of wealth as would give to all comfort, leisure, and participation in the advantages of an advancing civilization.

With respect to monopolies other than the monopoly of land, we hold that where free competition becomes impossible, as in telegraphs, railroads, water and gas supplies, etc., such business becomes a proper social function, which should be controlled and managed by and for the whole people concerned, through their proper government, local, State, or national, as may be.

7. ADDRESS OF LOUIS F. POST, OF NEW YORK.

I have just come from a conference of men from all over the Union,— merchants, lawyers, doctors, clergymen, railroad men, manufacturers, and what outside of a scientific assemblage, and to distinguish them from the others, would be called workingmen. They came together to agree upon ways and means of promoting the abolition of all taxes save a single tax on the value of land, irrespective of improvements. This is what is known as the "single tax of Henry George." I call particular attention to the qualifying words, "irrespective of improvements," because I think my friend Mr. Clarke was in error in suggesting that the value of land could be ascertained by deducting the cost of the improvements from the whole value of the real estate. If you should build the Union League Club-house of New York City upon a lot of land in the village of Saratoga, the probability is that the cost of the house would be greater than the value of both house and lot. Hence we use the expression "irrespective of improvements," because that implies that the land should be taxed according to its value, without regard to what its improvements might cost.

The single tax is upon land values, not upon land. As Mr. Clarke has well said, it is an ad valorem, and not a specific, tax. If you taxed land specifically, so much an acre, regardless of location and fertility (as ignorant critics often suppose we intend), the tax would be similar to a tax on production. Under a specific land tax, no one could use any land without paying the tax, which would be as much for the poorest land as for the best. Such a tax would increase the cost of production, and therefore would be shifted to the consumer of the products. Land value is what the single tax would fall upon, and upon nothing else. Hence only valuable land would be taxed; while all other land would be free. In the beginning, no land has any value. Values arise and increase in consequence of the growth of population and the extension of industry,— in consequence of the advance of civilization. It is only when two men want the same land that it has value. When many men want it, its value is high; when but few want it,

its value is low; and, when but one wants it, it has no value at all. It is this value, which with great population is high, and with the decline of population falls again, although the land remains the same,— this market value of land,— that we would tax.

There are three or four generally accepted canons of taxation, to the test of which we are willing to bring the single tax.

The first of these canons is that taxes should bear as lightly as possible upon production. This is the most important, so far as the augmentation and equitable distribution of wealth are concerned; for taxes that bear upon production retard the production of wealth and affect its distribution prejudicially to the producer. The tariff tax interferes with trade; and, as trade is a mode of production, it interferes with production. Even original production is discouraged by it; for, when the original producer is hampered in his trading, he is burdened in his working. Tariffs shift from the man who first pays them to the consumer of the product for which they are paid. A tariff tax is part of the cost of production; and, unless the consumer pays it, the article upon which it is laid will not be reproduced. All taxes upon personal property in course of reproduction are shifted to the consumer. They are taxes upon business; and as such they are part of the cost of doing business, which must be paid by the consumer or business will cease, since no business can be done continuously below cost. Taxes on houses also are shifted. They are part of the cost of constructing houses. But a tax upon land values cannot be shifted. This is an obvious deduction from the Ricardian law of rent, the essence of which is stated by Mr. George in Book III. Chapter II. of "Progress and Poverty," as follows:—

"*The rent of land is determined by the excess of its produce over that which the same application can secure from the least productive land in use.*"

In the same chapter Mr. George gives the general application of this law as follows: "The ownership of a natural agent of production will give the power of appropriating so much of the wealth produced by the exertion of labor and capital upon it as exceeds the return which the same application of labor and capital could secure in the least productive occupation in which they freely engaged." But, as Mr. George adds, these two statements are the same; "for *there is no occupation in which labor and capital can engage which does not require the use of land.*"

Rent being the excess of produce yielded to labor by some land

over what the same labor can produce from the least productive land in use, a tax on rent is a tax only on this excess; and, since the excess goes to the land-owner and the remainder to the land-user, and the price of a product is the same whether it be produced from rent land or from no-rent land, a tax on rent is paid once for all by the land-owner, and not at all by the land-user nor by the consumer of his product. Such a tax neither reduces wages nor increases cost of production.

I am not one of those who believe that, when professors give their sanction to a proposition in political economy, it is therefore sacred; but I do believe that, when intelligent men, whether in or out of the chair, have devoted their lives to the study of any problem, their conclusions are not to be inconsiderately cast aside. In political economy as in morals there may be many worthy teachers to expound, but never a pope to command. On this question of shifting taxes the teachers are in accord with us. Among them we have Professor John Bascom, who, in his treatise published in 1860, says at page 159: —

A tax laid upon rent is borne solely by the holder of land, since he cannot indemnify himself by raising the price of its produce. This arises from the fact that a rise of price would instantly enlarge the circle or increase the intensity of tillage, and thus by crowding the market again reduce the price. If the tax be laid on the profits of any manufacture, the price of the goods manufactured immediately rises to the full extent of the tax; and, as by this rise profits are only restored to their former level and to what is still their level in all other departments, no additional stimulus is given by the enhanced price to that particular manufacture, but rather the reverse. Not thus with a tax on rent. If the price of produce were thereby increased, a new margin would be given to cultivation, a new culture would be possible under this higher price, and a culture which being last would furnish no rent and pay no taxes, but which immediately overstocking the market would reduce the price to its former level, leaving the holder of land-paying rent to deduct the tax from that rent. This arises from the fact that the last land pays no tax and regulates the price of all produce.

Mrs. Fawcett, in the sixth edition of her "Political Economy for Beginners," published in 1884, says at pages 209, 210: —

Taxes which are levied on land, such as the land tax, the tithe, and the poor rate, really fall on the owner of the land, and not on the cultivator. If these charges are in the first instance paid by the cultivating tenant, he pays so much less rent: if he ceases to pay the tax, his rent is increased. A reduction of the poor rate

on land, therefore, is no permanent or direct benefit to the tenant. At the first opportunity, his rent will be raised to a sum corresponding to the amount of taxation of which he has been relieved. The land tax, whether small or great in amount, partakes of the nature of a rent paid by the owner of the land to the State.

In Professor Laughlin's edition (1887) of John Stuart Mill's "Principles of Political Economy," at page 550, Mr. Mill says: —

A tax on rent falls wholly on the landlord. There are no means by which he can shift the burden upon any one else. It does not affect the value or price of agricultural produce, for this is determined by the cost of production in the most unfavorable circumstances; and, in these circumstances, as we have so often demonstrated, no rent is paid.

In Walker's "Political Economy," edition of 1887, at page 413, the following is quoted from Ricardo: —

A land tax levied in proportion to the rent of land, and varying with every variation of rents, is in effect a tax on rent; and, as such a tax will not apply to that land which yields no rent, nor to the produce of that capital which is employed on the land with a view to profit merely, and which never pays rent, it will not in any way affect the price of raw produce, but will fall wholly on the landlords.

And Professor Walker himself, in the same edition, at page 200, paragraph 262, says: —

From the law of rent as it has been stated, we deduce the very important conclusion that rent forms no part of the price of agricultural produce.

McCullough, in his edition of Smith's "Wealth of Nations" (1846), says (at page 604) of Smith's notion that "taxes on the rent of land," taking the term in the popular and broadest sense, fall wholly on the landlords: —

This is an error. The sum paid to the landlords for the use of the natural powers of the soil might be entirely swept away by a tax, without their having it in their power to throw any portion of the burden on any one else; but, in so far as the rent of land consists of the interest of capital expended on improvements or buildings, it could not be taken from the landlord by a tax on rent. . . . In whatever degree the rent paid for land may consist of interest of capital laid upon it, in that degree would a tax upon such rent operate to raise the price of raw produce, and would in consequence fall ultimately on the consumer. In so far as the gross rental of landlords consists of payments made them for the use of the natural and inherent powers of the soil, it results not

from their being producers, but from their being owners of the land; but it is otherwise with the portion of the gross rental paid them on account of improvements. This results from their being producers, or from their having capital vested in agricultural meliorations; and it is plain that a tax affecting the profits of this capital must necessarily offset the cost of raw produce.

Rent of land is the highest price any one is willing to give for it. Will any one give more because it is taxed higher, so long as there is any land not affected by the tax? Landlords now get all they can. How would taxing rent enable them to get more? It could do it only by tending to make land scarcer. On the contrary, it makes it more plentiful. Not more plentiful physically, of course, but more plentiful in the market. It would be so expensive to keep land out of use, if it were taxed according to its value, that the land market would be crowded, and the value of all land would fall.

The demands of land-owners are limited either by the market supply of cheap land or by the reduction of producers to the point of bare subsistence. When all land is in use, the land-owner cannot take more in rent than will leave enough to the producer to keep him in working order. If in this condition a tax were placed upon rent, it would be absurd to suppose that the landlord could shift it; for that, in effect, would be taking more rent. When all land is not in use, there is a competition among land-owners which keeps the rent or price of land at the equilibrium of demand and market supply. If in this condition a tax be placed upon rent, it would be equally absurd to suppose that the land-owner could shift it, because the supply of unused land would hold his greed in check. I have used "rent" and "land value" as interchangeable terms. This is correct, for land value is merely a capitalization either of actual or of prospective rent.

It is another canon of taxation that taxes should be easily and cheaply collected, so as to take from the people as little as possible in addition to what is needed by government. Taxes on production cost the people the tax plus compounded profits on the tax, while the government gets only the tax less the direct cost of collection from first payers. Whoever pays an indirect tax pays it as part of the cost of production, and in shifting it to the consumer he adds his usual profits on this cost; and, as every middleman does the same, the extra cost to the consumer greatly exceeds the original tax. This is not so with the land-value tax. Of that the government gets every penny that is paid except the direct

cost of original collection, which is less than the corresponding cost of collecting taxes on production, because the machinery is simpler.

By still another canon of taxation taxes should be so laid as to be certain. Taxes on production, on improvements, on personal property, on incomes,—none of these can be laid with certainty. But land cannot be hidden, and its value is more easily and definitely ascertained than any other value. Most intelligent men in a community know the value of its land; but there are few who know the value of its buildings or of its personal property, or the incomes of its inhabitants.

The fourth canon of taxation, and the most important from the standpoint of justice, is the principle that taxes should bear equally. In some quarters it is contended that men should be taxed according to their ability, but we maintain that they should be taxed according to the value of the special privileges which the taxing power secures to them. To tax a man according to his ability, which in the last analysis means (supposing every one to receive only what he earns) that all should be taxed according to their earnings, is not only inexpedient because it is apt to bear upon production, but it is unjust because it takes private property without returning an equivalent. To tax the tailor who makes two coats double the tax imposed upon the tailor who makes but one is to fine industry and skill and to confiscate private property. But, if either tailor is invested with a special privilege more valuable than any special privilege the other enjoys, it is just that he should pay a higher tax. Congress makes and improves the streets of Washington, D.C., at the expense of all the tax-payers of the Union. This is in accordance with the theory that taxation should be according to ability, since the nation is better able to pay than are the inhabitants of Washington. But, inasmuch as the pecuniary benefits of the improvements attach to the adjoining land by making it more valuable, justice demands that the privileged land-owners should pay for the improvements to the extent of the enhanced value of their land.

Land is of right common property; but expediency demands that it shall be held by distinct parcels in private possession, to the end that the user may enjoy the products of his labor. This private possession of common property is a privilege which all cannot enjoy in equal degree, because all do not need the same quantity of land or land of the same value, and could not get it if they did.

But, if those in whom the privilege of possessing valuable land is vested are required to contribute the value of their respective privileges to a common fund, equality is secured. It is as if several joint owners of an estate should leave it in the possession of one of their number on condition that he regularly pay its value to all the owners according to their interests.

The single tax operates to apply to public use the value of the privilege of exclusively possessing particular land, and therefore is a more equal tax than any which takes from the citizen according to his ability. It is the taking according to benefits instead of according to ability that distinguishes just taxation from legalized piracy.

Rent is often called the "unearned increment" of land, and we are asked why we would not tax all unearned increments. It would be difficult to name any real unearned increment which does not attach to land, or at least to special privileges in the nature of land,— such privileges, for example, as highway franchises. Without going into this subject, however, it is enough to reply that we propose to tax land value, not merely because it is an unearned increment, but because it is an increment which is unearned by the individual *and attaches to common property.*

The single tax would have great and beneficent social and industrial effects. It would make it expensive to keep valuable land out of its best use; and, as profits would flow from use and not from mere ownership, there would be greater demands for labor and capital, greater opportunities for both, and consequently higher wages and more prosperity in business. This would dispel the cloud of poverty, and threatened poverty, that now hangs over so many industrious men. Involuntary poverty could not exist under the single tax, because opportunities for all kinds of labor would be unlimited.

The common right to land was, in the beginning, the principal contention in connection with our movement. And now, when we lay stress upon the single tax, it is ignorantly supposed that we have abandoned the old doctrine. Not so. The single tax is the mode of establishing the old doctrine, and that we have found a place for it in current political discussion is evidence, not that the old doctrine is abandoned, but that the day of its establish ment approaches. Our movement has passed from the phase of vague agitation into the realm of practical politics, which is but one remove from the realm of practical statesmanship.

8. REMARKS OF EDWARD ATKINSON, ESQ.

Mr. President,* — I can sympathize very fully with the impatience of the advocates of what is known as the single tax upon land valuation. In my younger days I have myself indulged in visions of the discovery of a panacea by which poverty might be abolished or very greatly alleviated. But I have been unwillingly brought to a conclusion which is quite at variance with the view held by Mr. Henry George.

In Mr. George's reply to my article in the *Century Magazine*, he closes with the statement that the cause of poverty "is not in human nature; it is not in the constitution of the physical world; it is not in the natural laws of social growth: it is in the injustice which denies to men their natural rights; in the stupidity which diverts from its proper use the value which attaches to land with social growth, and then imposes on industry and thrift taxes which restrain production, and put premiums on greed and dishonesty,— injustice and stupidity which ignore the true rights of property, and turn governments into machines by which the unscrupulous may rob their neighbors." Sincerely holding to this view of the cause of poverty, it is not to be wondered at that Mr. George should seek for a panacea, or that he should hold to the erroneous conclusion that, because the rich grow richer, the poor grow poorer.

A mere glance over the figures of production, measured either in quantity or value, and a very superficial examination of the imports which are received in exchange for our exports, will prove without the possibility of a doubt that the greatest gain in production and distribution during the present generation has consisted in the increase both in the product and import of the necessaries of life rather than in the luxuries of the rich. This vast increase — greatly outmeasuring the increase of population — of the things which are consumed by the working classes (in the narrow sense

* I was not aware until this date (October 2) that what I had to say at the meeting of the Social Science Association, a few weeks since, was to be printed. I am suddenly called upon to furnish immediate copy for that purpose, and can only do this by shortening, as well as I can, a manuscript which I carried with me to Saratoga, but did not read. I took from it most of the points which were incorporated in my first reply to the advocates of the Single Tax System. I regret that on such very short notice I cannot recast this manuscript and make it somewhat shorter, but time does not suffice.

in which we use that term) has all been consumed. The rich could not have consumed it; and in this more abundant consumption the great masses of the people have attained better conditions of life, or might have attained better conditions of life, had all chosen to do so, than at any time in the history of this or of any other country. I hold, therefore, in opposition to the views of Mr. George, that, under such conditions of greater abundance and better and better opportunity to attain welfare, the main cause of poverty is to be found, *not* in institutions, *not* in unjust statutes, but mainly in the lack of that intelligence which prevents great masses of people from sharing in the welfare which science and invention, even under existing statutes, have placed at their disposal.

I do not find in the proposition to raise the entire revenue of the country by way of a single tax on land valuation a remedy for existing wrongs. I do find that, if that method of raising the public revenues were adopted and applied, some existing wrongs might disappear; but I also find that probably greater wrongs would be brought into action.

The advocates of the single tax system, in their impatience with opposition, are very apt to say that those who oppose them do not fully comprehend what Mr. George means. Mr. George says that I do not comprehend what the single tax really is. His associate, Mr. Croosdale, who has edited the *Standard* during his absence, says that I "am intellectually incapable of comprehending the theory of economic rent." All this may be true; but the gentlemen who advocate such a profound change in the institution of property as that involved in the single tax advocated by them must bear in mind that it is incumbent upon them to state their case in such terms that men of average intelligence may comprehend their purpose, and may also comprehend the propositions on which it is based, else they will not carry their measure. I do not claim any more than the average intelligence, and I therefore think I am entitled to such a clear statement of what these gentlemen really mean as may enable me to comprehend their purposes and their plans.

I think Mr. Samuel B. Clarke, in what he calls "A Lawyer's Reply to Criticisms upon Mr. George" (published in the *Harvard Law Review* for January, 1888, and adopted by Mr. George, when he published this article, in a tract at the office of the *Standard*) has made, perhaps, a clearer statement of what seems to be

the purpose and plan of Mr. George than he has himself. But I observe that Mr. Clarke's construction of Mr. George's theory is entirely inconsistent with what Mr. George says for himself is his purpose. Therefore, in my present treatment of the subject, I shall set off Mr. S. B. Clarke against Mr. Henry George, in order that we may proceed with due regard to the exact points on which this discussion has been invited. Before entering upon the exact line of my own conception of this subject, I will endeavor to indicate the profound difference in the theory of Mr. George and the theory of Mr. Clarke, whose work Mr. George has adopted.

There is a distinct agreement in relation to the proposed method of taxation, but an absolute disagreement on the fundamental principle on which it is to be sustained. Mr. Clarke, Mr. George, and myself concur in one point; namely, that there is no absolute property in land in any States which are founded on the English common law. In fact, there is, I believe, no absolute property in land anywhere. Conditional property in land — *i.e.*, peaceful individual possession of specific parcels of land — is admitted to be necessary to its use, by Mr. Clarke, Mr. George, and myself. In dealing with Irish land, Mr. Clarke, however, lays down a principle which is the very reverse of this in the most positive manner. He holds that every person has an equal right in land with every other person. He says: "As no law, or custom, or agreement can justify the denial of the equal right to life, so no law, custom, or agreement can justify the denial of an equal right to land. It therefore follows from the very fact of their existence that the right of each one of the people of Ireland to an equal share of the land of Ireland is equal and inalienable."

Throughout his treatise Mr. Clarke denies the right, the justice, or the propriety of any ownership in land of any kind, admitting most fully that, if ownership is right, then both the "unearned increment" and the "economic rent" of land belong to the owner.

Now, I venture to ask: On what ground can the people of Ireland claim equal rights in the land of Ireland against the equal claim of the people of any other country to any part of that same land? How can Mr. Clarke deny the right of the people of Ireland to an equal part of any portion of the land of North America? He subsequently admits that this theory will not work; and he admits the power, if not the right, of the State to grant the ownership or possession of the land of Ireland or of any other country to individuals, on condition that such owners or possessors shall convert all rent to the use of the State.

Mr. George, on the other hand, holds throughout his argument, and especially in his reply to myself, to the absolute necessity of giving conditional ownership, or complete, full, and peaceable possession of land, to those who may choose to take it under the new condition; and he has justified this OWNERSHIP in many ways, not only in fact, but in words. He says, "In applying to public use the power of drawing on the general wealth which pertains to the ownership of land, we discourage ownership without use." In that phrase he admits the *ownership* which he later justifies in the following words: "It [*i.e.*, ownership] arises from the necessity which comes from the highest use of land of giving individual possession, and from the difference in the capacity of land." And, finally, after advocating the single tax on land valuation, he justifies it only in these significant words: "Under such conditions, men would not care to hold land which they did not want to use; and users of land, where their use was more than transient, would become *the legal owners*, having the *assured privilege of peaceable possession and transfer* [of land] as long as the tax was paid."

Now, gentlemen, Mr. Clarke, claiming to quote from Mr. George,—whose thesis Mr. George has adopted,—denies the right or justice of ownership of land of any kind. Mr. George sustains the necessity of private ownership of land in the most positive terms; and he is right. Even Mr. Clarke is obliged to admit it. To haggle about the difference between possession and ownership of land is mere word-catching. But Mr. George uses the term "ownership" (*i.e.*, *private ownership*) in the most positive way. Neither they nor myself set up absolute ownership. Therefore, it follows of necessity that the only ground of difference between the advocates of the single tax system, who concur with Mr. George in admitting the absolute necessity of private ownership of land, under suitable conditions to which all shall be subject alike, is as to the *conditions* under which that private ownership and possession shall be granted, and under which peaceable possession through all time and through all transfers shall be sustained by the whole power of the State.

The communists have made a mistake, and Mr. Clarke has made a mistake, in the presumption that Mr. George would interfere in any manner with the conditional but peaceable possession and ownership of land sustained by the full power of the State; *and that is a most important distinction.* That distinction brings the discussion of the single tax upon land valuation within the

domain of political economy. It makes the question one of mere expediency, on which we have as yet no experience to guide us. Is it or is it not better to raise the necessary revenue of the country by a single tax on land valuation than by numerous taxes imposed in other directions, or on other kinds of property, or in other ways?

I am perfectly content to discuss the subject on that issue; but I think the advocates of this tax should not charge their opponents with want of comprehension when they utterly fail to agree among themselves on the fundamental propositions underlying the whole subject.

I have demonstrated to you that Mr. George sustains most fully the right of property in land, unless "individual ownership and peaceable possession sustained by the full power of the State" do not give or grant individual property in land.

Mr. Clarke says, "Grant that the land is his property (that is, the property of a private person), and necessarily he is entitled to it at any particular time,— that is, he has a right to exchange it at that time for other things, if he will and if he can; and it is nobody's business whether he receives for it upon exchange many things or few, much money or little."

Mr. Clarke says, "The truth is that a claim upon the value of land can be substantiated only by *first successfully impeaching the title of its occupant.*" Mr. George has adopted Mr. Clarke's thesis, and has printed it with his name upon it; yet Mr. George says that the users of land, where their use is more than transient, will become the legal owners, having peaceable possession and transfer as long as the tax is paid, and he advocates individual titles under this condition. What is the right of transfer except the right of purchase and sale? What is peaceable possession and legal ownership except a grant of property in land by the State? But Mr. Clarke goes further: he says, "The argument for the land-value tax is very apt to assume the form, that because the value of land increases without effort on the part of the land-owner, as the community grows, therefore the community earned such value and may take it for other purposes," adding, "*In that form the argument is fallacious beyond question.*" Yet that is the whole ground upon which Mr. George proposes to take the rent or the so-called unearned increment of land for public purposes.

Now, gentlemen, what do you mean? On what ground do you stand? Do you sustain the thesis of Mr. Clarke that every indi-

vidual upon the earth has an equal right to an equal part of the whole land of the whole earth? If so, say so. Or do you concur with Mr. George in sustaining the private ownership of land, and peaceable possession under such conditions as may be found to be just and expedient for the collection of the public revenue? Until you have removed the obscurity on this fundamental point which exists in your own leading publications, issued under the same imprint, from the office of your own advocate, and sustained by your chief prophet, you have no right to charge your opponents with any lack of comprehension of what you mean; for you do not appear to know what you mean yourselves.

There is a certain element of truth in both the forms in which this proposition has been submitted by Mr. George and by his advocate, Mr. Clarke, although they are so diametrically opposed to each other in their definition of what is intended. There is a substantial agreement or admission under the English Common Law of the right of subsistence from the political division of land on which each person is born. The State is a growth: it is not an expression of natural rights. It is a form of society, established by law, by which the lawful rights of the community may be enforced. These legal or lawful rights have become defined through the long existence of nations, and have gradually crystallized into the forms of Common Law. The Common Law provides in respect to Ireland,— and to its political divisions,— in respect to every parish in England, and in respect to every town and township in the United States, that every man born within that purely artificial or legally established political division (county, city, parish, or township) has a legal right to subsistence, shelter, and clothing within that political division at the cost of those who occupy that division. The State, however, empowers its members to impose the conditions under which such men shall be maintained. If you cannot earn a living for yourself, the State will provide for you; but the State dictates the method in which this provision shall be made, and also provides ways and means by taxing all other citizens for your support.

The theory of natural rights and of equal rights in the soil was long since given up, outgrown, or laid aside, as being wholly inconsistent with the existence of the State; while the State itself has been recognized as necessary to the existence of the people, in order to save them from anarchy, and to provide in ever increasing measure for their protection, their subsistence, and their

shelter, by establishing their lawful rights consistently with progress in the development of jurisprudence. The anarchists are logical. They would abolish the State; they would establish the rule of the strongest, as it was in prehistoric days; they are the only consistent advocates of natural rights. The communists are illogical. Mr. Clarke is illogical. Mr. George is illogical, if he accepts the theory of natural rights presented by Mr. Clarke. The very fact that Mr. George calls upon the State to establish a system of taxation based wholly upon land valuation, for the maintenance of the State itself,— for the protection of its citizens, and for the purpose of sustaining the "legal ownership and peaceable possession of land," — proves that he has completely surrendered the theory of natural rights on which Mr. Clarke bases his denial of any sort of private ownership of land, under any conditions, and impeaches all titles.

I will now take up the single tax on land value as a mere question of expediency; *i.e.*, a mere method of supporting the State. I will submit my views as to the want of economy, the injustice and the wrong, which might ensue from the adoption of this proposed method, admitting fully that there is as yet no well-established science of taxation. As I have stated in my article in the *Century*, on "Comparative Taxation," we must be guided mainly by experience in eliminating the obnoxious provisions of our existing laws, while carefully avoiding revolutionary changes which might bring in seven devils in place of the one which we might perhaps eject from our national household.

The difference between Mr. George and some of his coadjutors and myself or others who sustain the existing system of land-holding is wholly one affecting the conditions upon which the land shall be held in private ownership and peaceable possession, and not in respect to such ownership and peaceable possession, which is uncontested by Mr. George, although contested by Mr. Clarke. Others impeach all titles, and admit no rightful possession or ownership.

This difference in respect to the conditions of possession — whether rightful or only admitted from expediency — grows out of a difference in respect to the theory of rent. In respect to rent, we may concur that there is a certain form of income which in some way or somehow is derived from land by individual owners or possessors, and which has been named "rent." What is rent? Mr. George has broadened the common conception of

what constitutes rent by including under that name what Mill calls the "unearned increment," or the rise in the value of land, which is commonly attributed to the progress of society.

Mr. George would not apply the single tax to all land, but only to that land which yields what some economists have attempted to define as "economic rent," and to what Mill termed an "unearned increment." In my *Century* article I said that the single tax men overlooked the fact that taxation and work are synonymous terms, to which Mr. George replies, "This indeed we do, for the reason that there is no such fact." "But," he adds, "it is true that taxation can be paid only in the products of work," and that I should "have been right, had I said that all taxation, no matter on what levied, can be paid only in the product of labor and capital."

I have, I believe, average intelligence; and these statements remind me of a description which was once given of one of my friends of old time, who adhered to his own side of all questions with such tenacity that it was remarked of him that "he was like a bull-dog with confused ideas." I do not think that any one will deny that work must be done, in order that there may be products of work. Hence it follows that, if rents, taxes, earnings, wages, salaries, and all other divisions into which the products are sorted in the process of distribution, of necessity imply that work has been done in their production, then I think I may rightly claim that some part of the work of the community must of necessity be devoted to the production of those things which are either directly or indirectly devoted to taxation.

Land will not yield its products for division in the form either of rent, interest, taxes, or wages, unless labor and capital are worked upon it. Taxation and work, as well as rent and work, are synonymous terms to this extent, that at their measure in money so much of the product of work is devoted to their liquidation. Conversely, if no one works in order that he may pay his taxes, then it is equally true that no one works in order that he may pay his rent; and it would follow that neither taxation nor rent would be any burden.

Is it not true that what Mr. George aims at is to take that part of the work which is devoted to the payment of rent, and convert it over so that it shall become a substitute for that part of the work which is now devoted to taxation? That is what the advocates of the single tax distinctly aim to accomplish, upon the

ground that those who receive rent secure the products of work without performing any corresponding or equivalent service. They rest, therefore, wholly upon the hypothesis of Ricardo, that rent is due to certain properties of the soil, or to certain conditions of society, which are of such a nature that he who obtains the ownership, possession, or control of certain parcels of land may convert that part of the product which corresponds to rent, or that part of the work which is synonymous with rent, into a money income, which, being secured to his own use and enjoyment, gives him something which he has not earned. In other words, the advocates of the single tax make the landlord who secures rent a pensioner supported by the work of others. Mr. George holds that economic rent does not belong to the individual, but should be taken by society, under the forms of law, and should be converted to the public use as a substitute for all other measures of taxation. He holds that his rent may be secured by way of taxation, and may save the community either that part of the work which they now pay in one form or another as rent or which they now secure as rent, when as land-owners men become their own landlords. By substituting this increment or product for the additional product now devoted to taxation, Mr. George holds that we may save to the community that part of the product of the work which is now devoted to taxation. This hypothesis opens two distinct lines of thought: —

1. Is "economic rent" (if there is any such rent), or rent paid for the use of land, or rent secured from the use of land, an injustice?

2. Can it be taken from those who possess the land without their being enabled to distribute the burden of the tax by which it is taken upon the community?

These problems must be treated upon the admitted necessity that land must be divided into parcels and held separately in individual possession, in order that it may be put to productive use. The first is a question of right: the second is a question of practice. We will deal with the practice first, and we will deal with the alleged injustice afterward.

This *dogma* of the non-distributive quality of the single tax on rental value — for it is nothing more than a dogmatic assertion, resting neither on inference or proof, that rent, or a single tax substituted for rent, cannot be distributed through him upon whom it is first imposed upon the community — reminds me of the old story

of the man who, being in jail, sent for his counsel, and submitted his case to him. "Why," said the lawyer, "you cannot be put in jail for that offence." "But," responded the man, "I am in jail. What I want of you is to get me out."

In my *Century* article, I cited the books of any established manufacturer in proof of the fact that taxes upon land value, rents, and all similar burdens upon land or land valuation, *are distributed*, being charged to the cost of whatever is produced in the factory. Mr. George remarks that "one does not learn political economy from the account books of a manufacturer," or something to that effect. I venture to remind him that he who undertakes to study political economy without paying regard to the facts which are disclosed by the books of manufacturers and others will deal, as Ricardo did, merely with a hypothesis which may not be justified by the facts of life. I value hypotheses, and I value the deductive method. Many brilliant discoveries in science have been made by these methods, but they are wholly out of place in dealing with such questions as we now have before us.

I stated that all taxes — whether on land in its primary form on which the factory stands, or on land in its secondary form of bricks of which the factory may be built, or on land in its tertiary form of iron after it has been taken from the mine, and has been converted into metal and finally into machinery — are invariably charged to the cost of manufacturing, and are recovered from the consumers of the manufactured goods. Unless the manufacturer *can* recover these taxes, together with all other elements of cost (together with a charge corresponding to an insurance on the risk incurred), and can make a profit corresponding to that which can be made in other pursuits over and above all such charges, he will either become bankrupt or he will go out of that business and apply his labor and capital to something else. I venture to affirm that no tax which may be put either upon productive land or upon other forms of productive property can be made to stay where it is put, except it is imposed in the form of a tax upon successions or bequests of such property. Possibly, a tax on incomes might not be directly distributed.

I will venture to cite myself as one of the agents through whose instrumentality every man in this room has been charged with, and has paid, a part of the tax on the rental value or assessors' valuation, and also a part of the rent secured by the landlord himself, who owns one of the most valuable pieces of land in the

city of Boston. It is doubtful if any single person can be found through whose agency a part of the rent secured from land, and a part of the Boston taxes imposed on land valuation, are so widely distributed and recovered from the consumers as myself, owing to the peculiar nature of the business which I conduct. The office which I occupy in Boston, as president of a Factory Mutual Insurance Company, is in the sixth story of a building standing upon land worth $30 per square foot, the building itself being worth $20 per square foot of ground covered, that being almost the identical average of the value of all land in the city of Boston as with all buildings; to wit, three to two. This property is taxed to the owner at these valuations. The sixth story was added to the building at my instance. The bargain made for the rent to be paid for the first five years covered interest upon the cost of construction, repairs, depreciation, cost of service, and the full proportion of the rent and taxes on the ground. Superiority of situation, due to the growth of society, enabled the owner to secure from me as his tenant all the taxes, insurance, and other charges, profits or interest on the building, and an economic rent equal to the rental value of the land occupied. If I had not agreed to make this payment, he would not have constructed the addition to the building, from other parts of which he had already secured an income of a similar kind. After the first term of the lease had expired, I paid in advance, because I could not get accommodation anywhere else on so good terms, no one being ready to apply capital and labor to the construction of buildings on any land, unless with the expectation of recovering income in full measure on the investment, rent and taxes from the occupants. By occupying that building at the cost of rent and taxes, the general cost of my work is diminished more than it is increased. The highest rents and the highest taxes are paid by those whose service to the community is done at the lowest cost.

Now, the company of which I am president insures, under the mutual principle, nearly every first-class textile factory and paper mill. The cost of their insurance is charged to them. It includes the amount of loss incurred by fire in each year, the salaries of the officers, and other personal expenses of conducting the company, and also the rent and taxes of the office occupied. That cost of insurance, together with the tax on the factories themselves, is charged to the cost of the goods; and the goods would not be made for sale except at an average profit over and above

these charges. You are among the consumers who buy these goods. In nearly every yard of cotton or woollen cloth, and in nearly every sheet of paper of which you make use, there is a charge for rent and taxes on that Boston lot of land. If all the expenses of the city, and the national taxes also, were consolidated in a single tax upon that lot of land,— the rental value of which is now represented by a principal sum appraised at the rate of $30 per square foot,— the difference to you would be that, while you would be saved other taxes, you would pay about four times as much tax in the cost of your cotton and woollen cloth and your paper that you now do. You would be very sure to pay this, because it is necessary to the investment of the capital upon and to the use of that land that "legal ownership and peaceable possession through all time and through all transfer" should be given to some individual person, according to the theory of Mr. Henry George, with which I fully concur. That person would not invest his capital in a building placed upon that land, or upon any other lot or parcel, unless he could get the full income upon his capital over and above the single tax. The single tax would therefore become a part of the cost of the conduct of the insurance company, just as much as a partial tax upon the land now does. This is as true of the factory and the workshop as it is of the insurance company,— all taxes on the site, the building, and the work, are included in the cost of goods.

Now, with regard to the hypothesis of Ricardo in respect to agricultural land. This hypothesis is thus given: Two parcels of land, the one very fertile, the other of average quality. The latter, being cultivated, will yield back in its product merely the cost of cultivation. The other will yield the cost of cultivation and an additional quantity possessing a certain value. That additional quantity is defined as economic rent. This hypothesis holds true, *provided* the two lots of land were cultivated by the *economic man*, the myth of the deductive economists, the man who would be an automaton if he were in existence, always actuated by the same motives, governed by the same measure of intelligence, and yielding or securing in response to his effort identical results. There is no such man; and I think this hypothesis of economic rent falls to the ground with the shadow of the economic man.

The variables from these necessary conditions of economic rent are so numerous that, when one has dealt with them, the rule is

buried out of sight and out of mind under the load of exceptions. Put two actual men on two lots of land, the one with intelligence on the poor lot, and the one of average stupidity on the good lot, and each may only recover the cost of production. Change the conditions,— put the intelligent man on the good lot, and the rather stupid man on the poor lot: the intelligent man will gain a large rent, the poor man will fail to get a subsistence, and will become a pauper. Put two men of different capacity on land of the same quality, and on the same crop one will get a large rent, the other will barely get a subsistence. Deal with two lots of land in the same city; put a good building on one and a poor building on the other; one will yield a large rent, the other no rent at all. It is neither the quality of the land nor the possession of the land which governs the income: it is the labor and capital applied to the land, and, more than all, the mental capacity (*i.e.*, the mental faculty), which is the prime factor in all production. Land itself possesses no value. The price paid for it is paid for the choice of lots.

Economic rent is a mere hypothesis, based on the supposed action of an economic man, like whom no man ever existed. It is not a working theory, and may be safely disregarded in the consideration of the subject with which we are now attempting to deal.

There is another element of alleged profit to individuals, which it is claimed that they take without effort, in what Mill called the "unearned increment," which Henry George confounds with Ricardo's hypothesis of economic rent. The so-called unearned increment is the margin which an owner can obtain from the sale of land which had no original value, but has been raised in valuation by the progress of society. It is admitted that there is such a profit. It is admitted that men of exceptional sagacity and skill in the management of property may buy land, hold it unused, lose interest upon it, and pay existing rates of taxation, and occasionally make a profit above the current rate of interest. According to my observation in the matter of dealing in land, it has not been an exceptionally profitable kind of dealing. And men do not, as a rule, gain by it in any considerable measure, if any, beyond what the same skill and sagacity or mental work would have gained for them in dealing with what may be called the secondary or tertiary forms of land; that is to say, dealing with the products which are derived from land,— which products, we may say, are

merely land raised to the second, third, fourth, or fifth power, as the case may be.

It may be said of these products, as it was written or inscribed on the corner of a great granite mill by the builder: "All things have been others, all things will be others." He little knew how true a prophet he was. He built beyond his means, and his mill belonged to the mortgagee before many years. We may say of land and its products, including men: *All things have been land, all things will be land.*

The whole of life consists in the conversion of forces derived, at first from land by the use of the tools; but land itself is but the *primary tool* which is made use of in the process of converting the forces of nature by which life is sustained. It is a laboratory rather than a mine, in a broad and general sense. It may be used or misused, exhausted or enriched, rendered more valuable or less valuable in exact measure to the labor, capital, and intelligence which are applied to the conversion of forces worked on land into the secondary and tertiary forms. Land of no original value, and of little original utility, becomes useful and valuable in reflex to the labor, capital, and intelligence applied to it.

Now, in regard to the so-called unearned increment, I question very much that there is any unearned increment anywhere, if we regard the land of any given country *as a whole.* There may be some places like Ireland, for instance, where a bad system of land tenure and of absentee landlords has brought about a temporary congestion of the population; and this may have created an increment of rack rent, or an unearned increment of increased value, which would only recur under extraordinary conditions. But, in the case of Ireland, the attempt to stop all rent has destroyed the value of the land, and has now rendered it almost incapable of production, not for lack of labor, but of capital and intelligence.

If we view this country, however, *as a whole*, paradoxical as it may appear, I think I may venture to hold that there has been no increment or increase in the value of the land of the United States which would approximate even to the measure of the diminished effort now required on the part of those who desire to obtain possession of land, as compared with what the necessary effort was, say, a century ago.

The progress of society which leads men to bid against each other for the choice of lots (this is what really creates the value of land) has been brought about by the construction of highways,

the building of railways, the removal of the timber for purposes of construction, and other methods by which the land has been rendered capable of cultivation or of other use. A century ago land was without value. It has been distributed down to very recent times under free grants of one sort or another. But before the construction of highways, and yet more before the construction of railways (*i.e.*, before society had made great progress), the effort necessary to bring valueless wild land or raw land into a productive condition was something of which the present generation has little or no conception. It was the hard work of a lifetime of a large part of the population. There was no rent, especially no economic rent; hardly any land yielded more than a bare subsistence. Hardly any occupation, except that of commerce on the high seas, yielded any wealth in excess of a mere subsistence. The lesser amount of taxation was an immensely heavier burden than even excessive amounts now are. There could have been no single tax upon land at that time, because there was hardly any valuation of land or any economic rent, or rent of any kind, to be converted over to purposes of taxation.

Compare those conditions with the present. If you raise the assessors' valuation of the land of the United States, which is often below market value, to a full market valuation, then it will appear that each unit of the adult population, each man of arms-bearing age (if we may take each man of that type as the average unit), may now obtain land by purchase at its average valuation by earning the money with a tithe of the effort once needed. This money an industrious man can lay up in very much less than a lifetime, and can thus come into the possession of land with the least effort. A few years of service, conducted with industry, energy, and skill, will yield money enough to buy or to pay for the choice of land at its present average valuation, in far greater measure than the measure of the effort required to conquer free land from the wilderness a century or even a half-century ago. Land is more easily and readily obtained by purchase now than it was by mere occupancy formerly.

If such are the facts, there is no such thing as unearned increment in any large sense. On the contrary, there has been a constant decrement in the effort required, on behalf of the average man, to become the possessor of land coincidently with the progress of society and the application of labor and capital to the development of the whole territory of the United States. We have

not approached the end of these conditions. The end is not even within sight. With the progress of society,— that is to say, by the application of science, invention, and capital to productive industry,— the cost of living at a given standard has been steadily diminishing, while the rates of wages and the purchasing power of earnings have been as steadily increasing. With that diminishing cost of living and that advance in the earning power of labor, there has also of late years been a general decline in the valuation of land, except in a very few cities.

I therefore hold that the very progress of society, which raises the special value of land in particular cases, at the same time diminishes the general cost of land to him who desires to possess it, if we measure cost, not by the money, but by the effort which may be necessary to be exerted in order to come into such possession. Land can be more easily brought into possession by the masses of the people at its present valuation than it could have been when it was absolutely free for any one to become possessed of it who might choose to make the effort. The hypothesis that land is becoming more and more the property of the few, to the exclusion of the many, finds no support in the statistics of ownership. The mortgage system greatly facilitates the distribution of land, and profits the borrower as much as the lender. The allegation that much land is held for speculative use, less than its true valuation, simply proves, if it be true, that the assessors of taxes in that locality do not perform their duties.

The conclusion of this whole matter of social relations to which I have been brought by my observation of the facts of life is this: The law of competition is an expression of mental energy. Mental energy is the most potent force in material production. Competition corresponds to the forces which in the physical world have been named gravitation and friction. Gravitation and friction, viewed in one light, are obstructions to progress which must be overcome; yet without their existence there could be no progress, no motion of any kind. Competition is a form of mental energy which is ingrained in the human mind. It is irremovable and ineradicable, in many cases a cause of obstruction, yet in the larger sense the main factor in all progress in material welfare. Competition rules, whether we will or not, not only in the production and distribution of the products of the land, but in the maintenance of the properties of the soil and in the distribution of the land itself. It is a force which is subject to control and

direction, but not to suppression. It bursts every bond by which the attempt is made to suppress it; and, the more rigid the bond, the more serious the break.

Regarding competition, then, as a beneficent force, working constantly in the direction of higher welfare, and to the leading of the masses of the people to a higher and higher plane, as time goes on, we should investigate its lines of work in each and every direction; and I think we should be led by complete and logical analyses to the final conclusions which I have elsewhere stated: namely, Given only statutes for the prevention of fraud and the enforcement of contracts, free competition leads directly to greater and greater abundance, to diminishing the quantity or valuation of the capital which is required as a factor in production, to higher wages both in amount and in purchasing power,— which are the correlative or result of a constantly diminishing cost of production, when such cost is measured either in terms of labor, or effort, or in time, — while the competition of capital with capital tends constantly to a minimum of profit.

There is another paradoxical proposition which I may now add to this which I have previously presented; namely, in the competition of society through its units in constructing railways, establishing cities, and in bringing civil order into effect. While *some* land is rendered more valuable, *all* land is rendered more available; and while it is necessary that specific lands shall be held in private ownership, under certain conditions, in order that all production may be conducted in the most effectual manner, it is not necessary that all land should be held, either in common or in severalty, by all men for the purposes of such primary production.

Finally, through this competitive method of constructing society, and of dealing with land and establishing its valuation by purchase and sale, all men are enabled to obtain parcels of land at less cost or effort to themselves than ever before. Therefore, under the law of competition affecting land, the widest distribution will occur under the least onerous terms. This rule is of course subject to modification of the conditions, from time to time, under which such limited private ownership is permitted by law. We may therefore treat the single tax system merely as a method of taxation, and not as a fit method of working the distribution of land. As a mode of taxation, I should regard it as one of the most onerous which could be adopted, and the least expedient to be considered with a view to its being put into practice.

I think it would be easily proved that, in the competition to develop the country, and to attain a profit from the rise in the value of land, such facilities have been created through the application of labor and capital as to have greatly widened the distribution of land, and have rendered the possession of land more sure and at less cost than would have been the case had this competition been restricted, or had land been made subject to a single tax equal to its rental valuation.

This view of competition and of land-owning is not "*laissez faire*," either run mad or otherwise. It does not preclude town or city organization for many practical purposes, nor State intervention and action in matters which the State in its function of corporation may rightly undertake.

9. REMARKS OF HENRY GEORGE.

I have listened with pleasure to the brief address of Professor James. So far as I can gather from it, the only thing that keeps him from being a single tax man is the idea that we propose to institute the single tax immediately; for I think he will agree with us that whether economic rent be more or less does not affect the main question. If it be not enough to support present public expenses, we can at least take it as far as it goes, either reducing our expenses to that point or supplying the deficiency in some other way. If it be more, I think he will agree with us that with the growing needs of society there will be no difficulty in finding good use for it.

I wish you gentlemen who oppose the single tax would come together and settle among yourselves what the proper answer to our arguments is. For no one can listen to the objections that have been made without seeing how largely they cancel each other, and I am satisfied that, if you were only to fight it out among yourselves, there would be no objection left for us to meet. But, as I have been asked to reply to the objections that have been made, I will confine myself to a few of the more important. In the first place, to select that which I think lies at the root of nearly, if not all, other objections, let me speak of the matter of compensation.

Professor Seligman, in his address, admitted substantially the principal things for which we contend, but urged mainly this objection: that, to carry out the single tax, it would, as a matter of justice, be necessary to compensate present land-owners, and that having to pay out with one hand, while taking in with the other, would neutralize the benefits. I do not think this quite true. In any growing country I think the land might be bought and compensation made, and still a residual benefit be left, for the future at least. But I do hold that any plan that involves such compensation is utterly impracticable, and that the people, of whom there are many in England, calling themselves land nationalizers, who propose to make the land again the property of the nation by buying it up, are, so far as their direct object is concerned, wasting their time. But we single tax men deny the necessity of compensation.

We deny its justice. Nor is it practicable to attach it to our plan. What we are proposing is taxation. Compensation does not consort with taxation.

We do not propose to take any land without paying the owner for it. We do not propose to take land except where it is needed for special public uses. And, where this is done, we would continue the present practice of compensating the owner for its selling value, as long as it has any selling value. So far from quarrelling with the justice of this, we fully recognize its justice. For to take land from some without compensation while leaving it to others would be making fish of one and fowl of another. But, while we propose to continue the present practice in this respect, we also propose to continue it in another. The present practice is to compensate people from whom property is taken, but it is not to compensate those on whom taxes are laid. I never in all my life heard of the imposition of a tax with accompanying compensation to the people who were ultimately to pay it. If compensation of that sort is just, I have a big bill against this community myself.

But it is not merely that we do not in form propose to take any thing from its owner: it is true in reality. We do not in reality propose to take from any one what he already has, even though he has it unjustly. What we do propose is that we shall *in the future* take for the community the revenue that properly accrues to the community. We do not propose to settle old scores. We do not propose to bring a bill against any one for what has been taken that belongs to the community. We propose to let by-gones be by-gones, and virtually to say, "Keep what you have; but don't do it any more."

People are led into confusion by assuming that we propose to take land from its owners. They are also led into confusion by assuming that the selling or capitalized value of land is something that has already accrued to the owners,—something already in their possession. That this is an error may be readily seen. What gives its selling value to any piece of land? Not what it has yielded to the owner in the past, not even what it is yielding to the owner in the present, but what it is expected to yield the owner in the future. A lot adjoining a railway station on the plains may for some years past have yielded to its owner a rent of $1,000 a year. It may be yielding at that rate now. But if it be known that on the 1st of January next the railway station is

to be moved away, and that the lot would then cease to yield any rent, its selling value would disappear. In spite of what it had yielded, in spite of what it was even now yielding, it would have no selling value at all beyond that of the rent it would yield till the 1st of January. And this is true in all cases. The capitalized or selling value of land is determined not by any advantage that its ownership has already yielded or is now yielding, but by the expectation of the advantage that it will yield in the future.

Confusion arises from thinking of the "unearned increment" as though it were synonymous with selling value. But the unearned increment of wealth that goes to land-owners is a portion of the continuous production of wealth, which we commonly estimate annually. It is, in short, an annual return, its capitalized or selling value being dependent on the expectation of future returns. Now, what the single tax proposes is in the *future* to take for public uses what would otherwise go to land-owners, though unearned by them. We propose to do this as soon as we can, and as fast as we may, by a tax which, even when imposed, can only operate in the future. And we propose to use the proceeds of this tax to supply revenue now yielded by taxes that bear on industry, repress enterprise, and take from individuals what is properly theirs.

What is therefore involved in the claim for compensation? It is not that what has been once given shall not be taken away. It is, that because individuals have in the past been allowed to take for themselves what belonged to the community, they must be allowed to do so in the future, and their successors after them. It is, that one generation having made a mistake in the levying of taxation, all future generations must continue this mistake. It is, that having been robbed all my life by taxes that extorted from me the fruits of my labor, I must submit to the continuance of this robbery for the rest of my days, and that my descendants for all time must submit. Could the men of the past morally bind the men of the present? Can the men of to-day, by their errors or their profligacy, bind the men that are to come? There have been times when men could legally sell themselves into slavery. Granted, if you please, that where such sale was legal it constituted a moral bond. Did that bond attach to the unborn descendants of the man who thus sold himself? Did it make immoral any effort of theirs to release themselves by the repeal of laws which made such slavery legal? This claim for compensation involves, theoretically, the perpetuation of the same

injustice in another form. It involves, practically, the claim that we must continue to act unjustly because we have acted unjustly. The doctrine of the divine right of kings was almost reasonable as compared with so preposterous a doctrine.

In speaking this morning, Professor Seligman said something like this: that, if there was in the present state of society a landless man, he was only landless because he was too poor to buy anything; that the reason that prevented him from buying land was the same reason that prevented him from buying anything else. This is true. But that it is true in the present state of society does not show that it is just. It is in accordance with justice that save by gift no one should have these other things — the things produced from land by labor — without buying them, since for all such things a price must be originally paid. They are in the first place bought from Nature, so to speak, by the exertion necessary to produce them. But it is *not* in accordance with justice that men should not be able to get land without buying it from others, since for the land no original price was paid. Land is the gratuitous gift of Nature to men,— the free bounty of the Creator to his children. Here is a man who, like all of us, has come into the world bringing nothing with him. Imagine him grown and in his full powers. He has as yet done no work and has no proceeds of his own labor with which to buy the proceeds of any one else's labor. But has he no right to go to work without paying some one else for permission? Has he no right to the natural element, indispensable of all work? When a man buys a hat, a house, when he buys grain or cheese, he is giving the produce of labor for the produce of labor. There is an exchange. But, when he is compelled to give to another the produce of his labor for something that existed before labor was, it is not exchange. It is a robbery!

The landless man! Nature knows no such thing as a landless man. She brings no man into being where she has not provided land. The landless man is as much a monstrosity as a waterless fish or an airless bird. We are land animals. What Nature gives us is our own powers and the land. The land is the reservoir from which we must all draw. It is the indispensable element to all exertion, the natural factor in all production. The equal right to live involves the equal right to land. And, in making rights to land equal, what are we doing? Taking from any one what properly belongs to him? Not at all. We are simply securing to each what is properly his. The only power we are

taking from any individual is the power of making an unjust appropriation,— the power of taking the proceeds of labor without doing labor. What we single tax men are proposing is not confiscation : it is the stoppage of confiscation.

Supposing we could to-morrow appropriate all land values by means of the single tax and abolish all other taxes, what would be the result? Such an increase of prosperity, such an impetus to business, such a demand for labor and all the products of labor as we have never dreamed of. Every wheel of industry would spring into motion, and there would ensue to the community as a whole a general and enormous gain. Some men might lose relatively, but as members of the community they would share in the absolute gain. Now, as Professor James has well brought out, we do not prohibit invention or restrain industrial improvement because they may relatively injure individuals. Why then should we for this reason forego governmental improvement? There are to-day inventions talked of as possible that would make existing steamships all but worthless. Who would say that such inventions should be prohibited because of the loss to steamship owners? Why, then, should any one say that an improved method of collecting taxes, which would produce general beneficial results, should be prohibited because of the loss to land-owners?

Mr. Atkinson.— The landless man has a right to access to land without pay, you say. You, therefore, let him occupy a piece of land without pay, in order that he may get his living out of it; but you make it the condition of the occupancy that out of the proceeds of the work he puts on that land he shall surrender such part of the proceeds of the work as will meet all the taxes, while I, who do not choose to work land, but sit in a chair and work with my brain, pay none of them. You, therefore, put a condition on the landless man which is vastly more onerous than the condition of being obliged to buy a lot and having somebody else share the taxes with him.

Mr. George.— We do nothing of the kind. We would not tax any one for holding land, but only for holding valuable land; that is, land to which economic rent attaches, because superior to land that others are using. Every man has an equal right to land; but the equality of this right involves the limitation that he has no more right than any one else, consequently no right to any better land than any one else can get. He has a right to get and use, without payment, land to which no economic rent attaches. Such

land, under our system, he could get for nothing; for land speculation would be killed. And, in using it, he would have no taxes at all to pay, either on land, on improvements, on produce, or on anything else. But when his land became valuable,— that is, commanded a premium because better than land which others were using,— then he would have to pay a tax. In short, we do not propose to tax land. We propose to tax land values.

The longer you think of it, the more clearly you will see that the change we propose involves no real injury to any one; that even those who lose relatively would be more than compensated by their share in the general gain. And I would like those who are thinking of the single tax as springing on unsuspecting land-owners like a tiger from ambush to know, that much as we single tax men would like to have it go into force to-morrow morning, we realize the certainty that we cannot be gratified. We can only accomplish the change we seek by the slow process of educating men to demand it. In the very nature of things it can only come slowly and step by step. We do not delude ourselves on that point, and never have.

One of the speakers this morning spoke of the injustice of the single tax in taking away from a man who had just bought land the possibility of his getting any "unearned increment" from it. The suggestion is that of a man buying land at present prices, and then by the sudden advent of the single tax finding the value of his purchase utterly gone. But it is only as it arrived, step by step, at or near the point of perfection that the single tax could destroy the possibility of getting any "unearned increment." Then, since every step in the single tax must tend to somewhat reduce the selling value of land, where is the point short of the very last step, when selling values would have shaded down almost to nothing, where the purchaser of land could suddenly lose his whole investment? unless, indeed, he bought on a basis of wild-cat speculation, which the first instalment of the single tax would prick. But, if you can imagine any one so surprised as this supposititious purchaser, would he really deserve sympathy? The single tax can only come by slow advances, and each advance — ay, even the agitation for each advance — gives notice. Already this agitation is going on, and is beginning to assume practical shape. It will go on from one step to another. And, if any man chooses to shut his eyes to what is coming, does he not deserve to lose?

Another question is, Why should land-owners be taxed and cap-

ital escape? In an audience like this I need not waste time in exposing the errors of those who mix all sorts of things under the name of capital. Capital, in the true meaning of the term, consists of wealth; that is, of the products of exertion used in production. We would levy no tax on capital, because it is clearly unjust to take from any one the produce of his exertion. Whatever a man brings forth, whatever he adds to the common stock of wealth, belongs to him alone; and it is a wrong to take from him any part of it. If a man builds a house, he ought to have the whole house, not nine-tenths of it. If he cultivates a field, the whole produce should be his. If he puts up machinery or builds a factory, it is a violation of the right of property to demand, on the part of the State, that he shall share with others what his own exertion has produced. And these rights of the producer pass with his title. Therefore, it is unjust to tax capital.

In the next place, it is inexpedient. We want more capital. We want more wealth in all its forms. This country, as Mr. Atkinson has very well shown, is, after all, a very poor country. So with Great Britain. With all the wealth that is concentrated there, the great mass of the people are underclothed and underhoused, if not underfed. They do not get enough wealth to enable them to lead wholesome lives and to properly develop their powers. Nor would they get enough if wealth were equally divided. We want more wealth, and therefore it is inexpedient to tax wealth in any of its forms. Tax wealth, and you will have less wealth. But, again, you cannot tax the capitalist in taxing capital. It slips off the capitalist and rests on the consumer, falling with the heaviest weight on the poorest people.

Another question sometimes asked is, If you would take the unearned increment of land values, why not take other unearned increments? Well, what are they? I can think of nothing which can be fairly likened to that increased value which attaches to land by the progress of society except that which attaches to franchises. As the village grows into the city, the business of the street railway becomes more profitable. So with gas-works, water-works, etc. So with railways generally. But, if these increased profits are not ultimately resolvable into increased economic rent, they are of the same nature. Such franchises are special privileges, like the privilege of holding valuable land; and the profits due to the general growth ought, as we hold, to be taken for public use or diffused through the community by a reduced price of ser-

vices. I am inclined to think, as the majority of single tax men think, that the best way would be for the community to perform such services for itself, as by supplying its own gas and its own water and running its own street railways, and, if not operating the larger railways, at least maintaining the roadways.

I do not suppose there is any one here who would hold that the occasional (and even, so far as they may be concerned, accidental) profits that sometimes come to men by fluctuations in the price of products are in the nature of an unearned increment, or that, even if practicable, it would be wise for the community to try to take them; for that would be to discourage the forethought which plays a beneficent part in equalizing supply. But there are some things to which additional value seems to accrue with the increase of wealth and culture, or even by lapse of time. Thus there are paintings that rise greatly in value long after those who painted them are dead. But this is simply an increase in the reward of the labor of production, going to the owner of the picture or successor to the original right of the painter. And that it goes to him, and not to some other, is in itself the legitimate reward of the taste and sagacity evinced in buying the picture. So a coin, a vase, a book, may become more valuable simply because of their age. But the principle is the same. Such things are in their nature subject to exclusive ownership. And this ownership involves the right to any increase of value that may from any cause attach to them.

Again, there are certain businesses that yield larger profits with the growth of population. The most striking of these, perhaps, is the newspaper. As the village becomes a large city, the local newspaper, instead of making a few hundred dollars a year, may yield a revenue of hundreds of thousands. But the increased profit is conditioned on the ability to publish a paper that will meet the new demands. There is a certain element of monopoly in the newspaper press, due to news combinations and resting largely on the private control of telegraphs. But, in spite of this, there is nothing more striking in the growth of our cities than the way in which newspapers rise and fall, showing how, after all, their success depends on the ability of their conductors.

I know of no business to which anything like an unearned increment attaches. The growth of a town may make a hotel more valuable; but the increased value attaches to the land, just as the value of the publican's license in England goes ultimately to the

land-owner. And the general principle, I should say, is this: — that, wherever an increased advantage attaches to a thing properly subject to private ownership, it belongs to the owner; but, where it attaches to that which properly belongs to the community, it should be taken by the community.

The case of bonds, where their selling value rises by the fall of interest, has also been cited; and I am asked to refer to it. A bond is a contract between two parties, one of whom for a valid consideration agrees to pay certain sums periodically and a certain sum finally. Where the contract is between private parties, as in the case of a railway bond, is it not clear that it includes all the contingencies that may affect the selling value of the bond? And is this not also clear, when the contract is between a government and individuals? The loaner or buyer takes the chances for gain or loss, whether they arise from special or from general causes; and, so long as you propose to respect the contract, they must be left to him. And observe: When the selling value of a bond rises because of a general fall of interest, the relations between the parties are unchanged except that, could the contract be terminated, the one might borrow and the other lend at lower interest. The payments called for are unaffected. The rise in the selling value of the bond is merely a change of ratio between selling and annual value. It does not add to the revenue of the bond-holder; nor, if he sells to invest again, can he increase his revenue.

I know of no such thing as a perpetual bond or a perpetual debt at a fixed rate of interest. With the fall of interest, governments have reduced the interest they pay, either on expiration of the time for which bonds were issued or by more or less compulsory refunding processes. And I may say incidentally that I do not regard the fall of interest proper as a necessary consequence of social progress. So far from the effect of the single tax being, as some think, to reduce the rate of interest, my opinion is that it would increase it. If this be so, the effect upon bonds would be the reverse of that contemplated in the question. Their selling value would decrease instead of increase.

But to go to what may perhaps be the spirit of the question. While it is a matter that I do not care to raise now,— for, just as the land supports us all, so is the reform that would open land to labor the most fundamental of all reforms,— I may frankly avow my belief that there is no justification for public debts. As there never could have lived men who could validly dispose of land for

all time, so no generation can validly burden other generations with debt. In the same letter in which he declared it self-evident that land belongs in usufruct to the living and not to the dead, Thomas Jefferson stated this principle, and proposed that all public debts and statutes should be deemed void on the lapse of a period which he thought about the time that one generation passes away and another succeeds. The more this proposition was considered, he said, the more salutary it would seem. And so, in the light of to-day, I think it will. This power of incurring public debts, of bonding future generations, is the power that maintains monstrous armaments, and is rapidly putting the civilized world in pawn. In the interests of civilization it must be ended, and it will be ended.

Professor Seligman has said that the true principle is, not taxation according to benefits, but taxation according to ability,—meaning, I presume, ability to pay. To us it is as unjust and absurd to charge men with taxation in proportion to their ability to pay as it would be to charge them for postage-stamps in proportion to their ability to pay. If men get rich dishonestly, it is no remedy to tax them more. If they get rich honestly, it is a gross outrage. No one ought to be forced to pay more than another because he is more industrious or more talented, or has more foresight, or any other personal quality. All men ought to be put upon an equality of opportunity, letting whoso can work best and hardest take all the advantage that those qualities give. It is unjust to tax men according to their ability to pay. And it is inexpedient to tax qualities or the earnings of qualities that increase the general stock of wealth. Not merely this, but it is clearly impossible to tax men according to their ability to pay. All over the world it has been tried. Has it ever succeeded? In the United States to-day we are trying to tax men according to their ability to pay. This is the theory of many of our federal taxes and of nearly all our local taxes. What is the result? The rich man walks from under such taxes. The farmer pays on his tools; he pays on his little stock, on all he has. But the millionaire,—not only does he pay far less of the indirect taxes in proportion to his ability than fall on the sewing-girl and the day laborer, but even of the direct taxes he pays less then men of small means. And the attempt to tax men according to their ability has notoriously led to evasions, perjuries, briberies, corruption, and widespread demoralization.

No: we ought to tax men according to the special advantages they receive from the community, thus putting all men on an equal plane and giving free play to personal qualities. Here is the principle: We are all equally entitled to the use of land; and for the use of land in itself there should be no tax whatever. But where a value attaches to the land itself — that is to say, where land is so much better than the ordinary that it commands a premium — there a special privilege is accorded the holder. He receives from social growth and improvement a special advantage; and in the tax we propose we would simply take the value of that special advantage for the whole community, thus putting all upon the same plane.

That this is the true principle is shown by the fact that the tax on land values can be collected with the minimum of cost and the maximum of certainty; that it does not provoke the evasion, fraud, and corruption that are incident to other taxes. Land lies out-of-doors; it cannot be concealed or carried away. And its value can be ascertained with more certainty than any other value.

I said this afternoon that the land-owner as a land-owner was absolutely useless. Perhaps I had better go into that matter a little more fully. If any one thinks that the land-owner as land-owner is of any use, it is because he is confounding ownership with possession; and when people talk, as some gentlemen have talked here, of the advantages of the private ownership of land, they are thinking of the advantages of secure possession. Secure possession of land is necessary to the best use of land, but that is not ownership. The reason possession is needed is to give security that the improver shall reap the rewards of his exertion and outlay. But ownership is not necessary to secure improvement. In New York to-day you will find buildings erected on land owned by other parties, erected on leases, on the security of possession for a certain time. Go into Chicago, and you will find buildings erected in the same way; and there to-day you will find buildings erected on city land, not on long leases or a fixed rent, but with the contract that at short intervals a revaluation shall be made, and that the rent shall be increased as the land increases in value.

No man ploughs a field to get the rewards of its ownership: he ploughs to get the rewards of industry. No man builds to get the rewards of land-ownership: he builds to get the rewards of building. Perhaps that is a little too sweeping a statement. There are cases in which houses are built and improvements made to

get the reward of land-ownership. Go, for instance, to some of those "boom towns" in the West. About Los Angeles you may find great hotels standing empty. Nobody lives in them, and nobody ever has lived in them. They were erected as "bait for suckers" during the boom. In other places you may find railways covered up in mud and streets laid out where people are ploughing. That is the wasteful sort of improvement that is done to get the rewards of land-ownership. The industry that land-ownership stimulates! It is the industry of the "boomer" and "land-shark," the sort of industry expended in getting up the maps of Eden that dazzled Martin Chuzzlewit!

To leave the rewards of mere land-ownership to individuals is not merely *not* to encourage real improvement, it is powerfully to *dis*courage it. The American farmer strives, wherever he can, to get more land than he can possibly use profitably, in the hope of gain by the increase in value, and thus compels the next comer to go further on. So around all our cities you may see vacant lots, held at high prices against those who would use them. We have a population so diffused in some parts as to deprive it of advantages and economies that civilization ought to give, so crowded in other parts that healthy physical or moral life is impossible. The mortgaged homestead, the filthy tenement house, the seeming want of work where men are suffering for want of the things that work produces; the perplexing paradoxes, the threatening problems, presented by what is called the labor question,—these are the fruits of private land-ownership, the results of leaving to individuals that fund which ought to go to supply the needs of the community.

Professor Seligman said that the advocates of the single tax do not understand the science of finance. Well, if some of the reasoning we have heard here be the result of understanding the science of finance, we single tax men are glad that we don't understand it. He has also said that the professors of political economy as a class are against us. Unfortunately, that is true. But is it astonishing? Given a great social wrong that affects the distribution of wealth, and it is in the nature of things that professors of political economy should either belong to or consciously or unconsciously be influenced by the very class who profit by the wrong, and who oppose, therefore, all means for its remedy.

Professor Seligman intimates that we who are not of the colleges ought to accept what professors of political economy tell us of that

science, as we accept what professors of the physical sciences tell us of their domain. The difference, which he ignores, is that researches into the physical laws of nature do not affect the "pocket nerve": political economy does. And just as Macaulay has said,— if there were any large pecuniary interests concerned in denying the law of gravitation, that law would not be acknowledged to this day! It certainly would not be in the universities and colleges.

There is a reason why the great majority of us must, in such matters as astronomy or chemistry, accept what the professors of such sciences tell us. We cannot all study such sciences: we have neither the leisure, the knowledge, nor the opportunities. But if we cannot all study political economy,— the science whose phenomena lie about us in our daily lives, and enter into our most important relations, and whose laws lie at the bottom of questions we are called on to settle with our votes,— then democratic republican government is doomed to failure; and, the quicker we surrender ourselves to the government of the rich and learned, the better.

Let me say a direct word to you professors of political economy, you men of light and leading, who are fighting the single tax with evasions and quibbles and hair-splitting. We single tax men propose something that we believe will make the life of the masses easier, that will end the strife between capital and labor, and solve the darkening social problems of our time. If our remedy will not do, what is your remedy? It will not do to propose little goody-goody palliatives, that hurt no one, help no one, and go nowhere. You must choose between the single tax, with its recognition of the rights of the individual, with its recognition of the province of government, with its recognition of the rights of property, on the one hand, and socialism on the other.

Gentlemen, don't quibble and split hairs about this matter. It is too solemn, too important. It involves the happiness, the health, the lives, the very souls, of human beings. It involves the progress of society, the fate of civilization. If you have had superior education, if you have had what to so many of us has been denied, the leisure for study, the opportunity to cultivate what is highest and best in your powers, the more is it incumbent on you to meet the question frankly and fairly. If you will not accept our remedy, what is your remedy? There must be some deep wrong underlying our organization to-day. If it is not the wrong we point to,

the wrong that disinherits men of their birthright, what is it? There must be some way of securing to the laborer the proper rewards of his toil, of opening to every man willing to work opportunity to work. If you will not take our plan, what is your plan? You see these recurring strikes, you see the destructive contests that they involve, you see larger combinations marshalling for a wider and bitterer war. You must see that no man or body of men can have the moral right to demand that other men shall employ them or shall pay them a certain rate of wages. But is it not also clear that there is a right belonging to every man, a right attested by his very presence in this world,— the right to employ his own labor? If you reject our simple plan for securing that, how do you propose to secure it?

Modern society cannot stand still. All over the civilized world social conditions are becoming intolerable. If you reject the single tax, look to it, from what you turn and toward what you are going. We propose to respect to the full the rights of property. We propose to assure to each man his own, be it much or little. We would remove all restraints on production, all penalties on honest acquisition. We care not how rich any man may become, so long as he does not appropriate what belongs to others. We ask no class legislation, no favors or doles for any set of men. We would do away with all special privileges, abolish all monopolies, and put all men on the same level with regard to natural opportunities and before the law. We would simplify government, do away with its interferences in private affairs, and strike at the root of political corruption.

What is proposed on the other side? More restrictions, more interferences, more extensions of government into the individual field, more organization of class against class, more bars to the liberty of the citizen. In turning from us, even though it be to milk-and-water socialism, you are turning to the road that leads to revolution and chaos, you are using your influence to intensify the fight in the dark that, as it goes on, must evolve the forces that destroy civilization.

10. REMARKS OF PROFESSOR SELIGMAN.

(Friday Evening, September 5.)

After my paper of this morning I scarcely expected to take part in this general discussion, but the fact that Mr. George has done me the honor of addressing his principal remarks to some of my arguments makes it incumbent on me to reply. Before coming to the arguments proper, a few words are necessary as to Mr. George's undeserved slur at professors of "political economy." Mr. George practically said that the professors of this science are frauds and hypocrites. I thank him for this gentle insinuation, but I repel the charge as one unworthy of every honest disputant. To say that because a man does not agree with you he must be either a fool or a hypocrite is a most unwarranted and, let me add, rather egotistic assertion; while the charge in reference to professors of economics in particular is destitute of all foundation. This charge may possibly have contained a grain of truth in former days, when the acceptance of a college position, both here and abroad, was hedged about with manifold restrictions, religious as well as otherwise. But in the universities of to-day, which in this country are to a continually greater extent coming to be State universities and supported by the funds not of any class, but of the whole community, the professors are selected, not because of any preconceived opinions, but because of their ability to pursue the truth, the pure naked truth. The professor of to-day is responsible only to himself and to his own conscience; and it is a most gratuitous assumption to claim that, because he does not belong to a particular school, he must be a charlatan and a hypocrite.

[Here Mr. George was understood to say he did not mean that all professors of political economy, and least of all Professor Seligman, could be accused of hypocrisy. He spoke of a Professor Ogilvie in Scotland, who a hundred years ago secretly shared views which he did not publicly declare. He said that professors naturally belonged to the property-owning class, however, and were therefore opposed to all attempts at reform.]

I am very glad to hear this disclaimer, which, however, does not mend matters much. Mr. George assumes that the professors

naturally have a bias toward conservatism. Without any desire to become personal, may I ask whether it is quite fair to assume that such a bias is confined to any one class? Is it beyond the range of possibility that popular orators, of whom Mr. George is so eloquent a type, may also have their bias? I think not. But, without developing this idea further, let me say that it is grossly unjust to ascribe to professors of political economy a truckling or even an unconscious subservience to the powers that be. All history disproves this. Take Adam Smith, the founder of the science, who started the movement for free trade,—a movement which for many years encountered the fiercest opposition on the part of the powerful landed aristocracy, the dominant interest in England at that time. To come to the other end of English development, to whom do we find is due the great awakening of interest on the part of the so-called higher classes toward the laborer? Who has done more than all else to change the dominant sentiment and to inaugurate an era of practical reforms? A university lecturer, Arnold Toynbee. In Germany, it was again an assemblage of university professors who under the title of the "Union for Social Politics" planted themselves squarely in the path of the dominant capitalist class, and amid the fiercest opposition carried through a whole series of reforms in the interest of the laborers, which have, for good or for evil, marked the economic history of the last twenty years in Germany. In Italy, it is the university professors who have supported the projects of co-operation, of popular banks, of profit-sharing, of factory laws, and of land reform. And in the United States, to mention only one instance, almost the entire support which the labor-unions receive is at the hands of the college professors,—a course which has drawn upon them not a little opprobrium. Clearly, Mr. George has no right to assert that the professors of political economy are unmindful of the slums, or helplessly wedded to existing economic conditions. And, although I do not wish to deny for a moment the immense influence of Mr. George's eloquence in stirring the seething cauldron of social discontent, I would ask, By virtue of what prerogative does he arrogate to himself the position of sole spokesman of the down-trodden class? Listen to the following words in the last number of the *Nationalist*, a magazine which surely voices the sentiments of many thousands of workmen: "Once our wage-earners thought they had a competent leader in Henry George. We all know how splendidly they seconded him;

but they soon discovered that he did not really sympathize with them."

I quote this, not because it is my belief (for I doubt its truth), but because it is the belief of an ever growing mass of his former supporters. Let me tell Mr. George that the reason why college professors are not counted among his followers is not because they are afraid of consequences, but because they utterly repudiate the adequacy of his solution. Show us that your remedy is a true remedy; convince us that your methods are just and that your results will be efficacious; bring home to us, in short, the proof that you have really solved the social question,— and I can assure you that you will find no more devoted or enthusiastic adherents than the college professors. But do not offer us schemes which are repugnant to our moral sense and repellent to our logic. Do not hold forth as a panacea what all sound economists regard as woful error. Above all, do not assume that every one who cannot share your convictions is an enemy of progress and true civilization. I, for one, repudiate with all the vehemence I possess such an utterly baseless and puerile assumption. If the fight is to be won, it must be by arguments, and not by epithets.

After these preliminary remarks let us come to the bill of particulars advanced by Henry George. But, first, just one word as to a contention of Mr. Garrison this morning. Mr. Garrison said the land-owner is like the slave-owner. Was it right to compensate the slave-owner? It was the slave, and not the slave-owner, who ought to be compensated. Now, this is very pretty, this is very specious; but, unfortunately, this is not sound. In the case of slavery we have three parties, the slave, the slave-owner, and the State. In the other case, we only have two parties, the land-owner and the State. In the case of slavery it is the slave who is injured; but how, in the name of common sense, can the land be said to be injured? It was wrong to own the slave, because it was a violation of his rights as a moral being; but I have yet to learn that the land possesses any claims to moral consciousness. The cases are utterly dissimilar.

Let us take up now the first of the points raised by Mr. George, the important point of compensation. Here I must substantially hold to my remarks of this morning. If it be true indeed that land-ownership is robbery, then I confess compensation would be wrong. But what has to be proved is precisely that private property in land is robbery. And that, as we shall see in a moment,

has never been proved. Mr. George has utterly failed to convince me. He practically confessed that, if the total land values were taken away at once and unconditionally, this would be confiscation. He seeks to avoid the difficulty by proposing that only portions should be gradually and successively taken; and I am sorry to say that my friend Professor James, in his remarks of this evening, seemed to lend a partial support to this view. Now, I cannot possibly see any difference, in so far as the loss is concerned, whether a man's teeth are pulled out one by one or whether they are all taken together. If it is confiscation to take the total annual value, it is a *pro tanto* confiscation to take any part of this value. On the assumption that the same man owns the land all the time, it makes no difference whether his property is taken in ten equal instalments or in one huge lump. The nature of the act is not altered one whit. Clearly, partial confiscation is nevertheless confiscation.

But to come to the pith of the matter: Mr. George says that we are not in the habit of compensating for a tax. That is perfectly true on the assumption that the tax is an equal tax, as most taxes are at least intended to be. But if the State says to one man, You shall pay me a thousand dollars, and to another man in exactly the same position, You shall pay me ten dollars, then the robbery of the first cannot be cloaked by simply calling it a tax. If the State takes away from me my diamonds and leaves my neighbor in possession of his, then the confiscation is no less a confiscation because it is called a tax. If the State singles out a particular plot and takes it for the public, it compensates the owner because the burden falls exclusively on him. If the State singles out a particular class, and takes away only their property and not that of others in an equally good position, the claim for compensation cannot be brushed aside by simply calling it a tax. Names must not deceive us. It is equality and justice that must guide us.

Henry George says that he proposes to let bygones be bygones. Is this true? He says that the capitalized or selling value of land depends only on what it is expected it will yield in the future. This also is a baseless assertion. The future productiveness is only one of the elements. The present productiveness is another, and even the past productiveness is generally one of the most important tests of value. If you will say that future productiveness depends on an estimate based upon a comparison of past and present productiveness, then I can have no quarrel with the asser-

tion. But does Mr. George want to let bygones be bygones? He says that he wants to take only the future unearned increment; but he labors under a mistake. That was John Stuart Mill's plan, the only honest plan. If I invest $10,000 in a plot of land and get a rent of $600 (about the usual interest), I obtain no unearned increment. As soon as through the progress of society this rent increases to $800, I get, if you will, an unearned *increment* of $200. Now, this increase, this increment, this $200, is what Mill proposed to take, although he never had the idea of a single tax. But as soon as you take the entire $800 you are taking more than the future unearned increment. You are taking the entire value, and you are not letting bygones be bygones. Increment, Mr. George, means increase; and you are taking more than the future increase.

The question of confiscation cannot be settled in any such easy manner. Mr. George has spoken of property which has been rendered practically worthless through a new invention or discovery. Do we compensate the existing owners? asks he. No, of course not; but why? A new invention represents a practical gain to production. It is the supplanting of the old, the worn-out, by the new. It is only by this process that advancing civilization becomes possible. It is like the hand-loom weaver, whose interests were for the time being injured by machinery, but who, in the long run, was immensely benefited. But what analogy is there between this case and the confiscation of land? How is the land-owner to derive any special benefit from the change? It must first be proved that the abolition of private ownership will revolutionize production in the good sense,—an assertion the very contrary of which is rather true. And, secondly, even if we accept Mr. George's assumption that land confiscation will benefit the community, it has yet to be shown why, if the benefits are to be equal to all, the burden should fall on only the small class of land-owners. Clearly, the analogy between the undisputed benefits of a new invention and the extremely questionable results of land nationalization is a very far-fetched one.

No amount of mere assertion will prove that confiscation is not confiscation. Mr. George has told us that compensation is impracticable; but that is a mere statement, without any proof. The question still resolves itself into this. If I purchase to-day a plot of land for $10,000, (which $10,000 are the results of my labor and skill), while my neighbor purchases a house for $10,000 (also the

result of his labor and skill), why, I ask, should my $10,000 be taken away, and his $10,000 be left intact. No amount of jugglery with words can disguise the force of this plain question, and nothing that Mr. George has ever said has answered it. He confuses the ownership of the land with the ownership of the capital paid for the land. I repeat what I said this morning, that the great majority of existing land values in the United States have been purchased for cash, for capital, for the product of labor. And, as long as the State has clothed this form of capital invested in land with the insignia of property, the land-owner, who has paid for his land, has an undeniable claim to compensation.

We come now to what I consider the most baseless contention of Mr. George. Land should not belong to any one, says he, because it is not the result of individual labor. The argument has two branches. First, I deny that any such sharp line of demarcation can be drawn between land and other things. Secondly, I repeat my assertion of this morning, that it is illogical to confine the unearned increment to land alone.

In the first place, if it be said that the value of land is wholly the work of the community, how can we logically deny that the value of any so-called product is partly the work of the community? Individual labor, I venture to say, has never by itself produced anything in civilized society. Let us take the workman, fashioning a chair. The wood he certainly has not produced. The tools that he uses are the result of the contribution of others. The house in which he works, the clothes he wears, the food he eats (all of which are necessary to the making of a chair in civilized society), are the result of the contributions of the community. His safety from robbery and pillage — nay, his very existence — is dependent on the ceaseless co-operation of the society about him. How can it be said, in the face of all this, that his own individual labor wholly creates anything? If it be answered that he pays for his tools, his clothing, his protection, etc., I say, So does the land-owner pay for the land he purchases. Nothing, I repeat, is wholly the result of unaided individual labor. No one has a right to say, This belongs completely and absolutely to me because I alone have produced it. In truth, this is the groundwork of socialism. The socialists have been far more logical than Henry George. They deny the existence of any difference, save that in degree, between property in land and property in other capital. That is the reason why the English enthusiasts are leaving land

nationalization and enrolling themselves under the banners of socialism. That is the reason why, in this country, the growth of Bellamy's Nationalism marks the gradual decadence of the single tax movement. That is the reason why any one who has to do with laboring men throughout the country is now meeting in every centre hundreds who were formerly Georgeites, but who now have become converted to the newer forms of socialism. I agree neither with Mr. George nor with the socialists. I think the premises of each are wrong. But, as regards logic, the socialists have clearly won a victory over Henry George.

Now, secondly, why limit unearned increment to land? Mr. George says that the only other case he can think of is that of franchises, and that these also ought to be taken for the community. Now, this means one of two things, either the community must tax them or it must acquire them by purchase or confiscation. Now, if the State taxes them, we no longer have the single tax on land values, but also an additional tax on something else. What, then, becomes of the great crusade for the single tax? But if the State acquires them,— that is to say, nationalizes all occupations which enjoy a special franchise,— how is Mr. George to be distinguished from those socialists whom he professes so to abhor? These are the horns of the dilemma.

But Mr. George's contention that there are no such cases of unearned increment is absolutely incorrect. Let us first analyze a few of the cases which he attempts to explain away. Mr. George says, Here is an old picture which greatly increases in value; and he maintains that this is due to the man who had the sagacity and the taste and the forethought to buy this picture. Now, I appeal to the common sense of this audience. Twenty years ago I bought a Diaz, a Corot, or Millet for $500, which now is worth $20,000, solely because of the scarcity of such pictures and the increased demand of those that have a use for them. Twenty years ago I bought for $500 a plot of land in a Western town, which now has appreciated to the same sum ($20,000); and, mind you, for the very same reason,— namely, the increased demand of those that can use the land. Now, if I am entitled to the increased value of the picture because of my sagacity and forethought, why, in the name of common sense, am I not entitled to the increased value of the land, due equally to my sagacity and forethought? I have done no more to enhance the value of the picture than that of the land. The arguments are precisely identical.

Then Mr. George says, Value may attach to other things by mere passage of time. An old Roman coin is worth a great deal because I have taken care of it for so long. But is not the increased value of land due precisely to the same passage of time? If I buy a lot on Wall Street, I and my descendants will, you may be sure, take very good care of it, and we shall bestow upon its protection from intruders and robbers a great deal more care than the owner of the Roman coin. The argument is precisely the same. But these are of course all trifles, although they are good samples of Mr. George's logic. Let us take far more important examples.

The value of railway securities in the United States to-day is over $9,000,000,000, and the securities of other corporations amount to many millions more. It is safe to say that the value of the bare land owned by individuals is far less than these corporate securities, which form a large part of the intangible personal property of individuals. Now, has anything that Mr. George advances tended to disprove the existence of unearned increments in these? I invest $100,000 in the railway bonds of a young corporation; I get 6 per cent. interest, and pay perhaps $50 on the par value for them. In the course of twenty years, during which time the community has grown and given the railroad more traffic, this bond is worth par or even $150, and my investment represents now $200,000 or even $300,000. Have I earned this increment? Have I individually done anything to produce this added value? It is as much the work of a community as the increase in the value of any land. Why take away the unearned increment of the land-holder and leave intact the equally unearned increment of the bondholder? Do you not all see that this is the rankest injustice?

But I am willing to go much further. Mr. George cries out in pathetic terms about the robbery of the landless, about "progress and poverty." Now, I wish to ask any one whose mind is not befogged by the mist of erroneous enthusiasm: Who are the rich men of this country to-day? How has by far the greater part of huge wealth been acquired? Look to our millionaires and inquire. I shall tell you. The main cause is the existence of what may be called the fortuitous conjuncture of events, the chance happening due to no one's labor, but to the turn in the wheel of fortune,—call it speculation, call it luck, call it by any name you will. How have most of the fortunes in Wall Street been made? Who is responsible for the lucky increase of his investments?

Who can say that the successful manager of the ring, the corner, the pool and the trust, has worked out his dollars through his own industry? Land speculation is only a part, and a very small part, of the sum total; and if you say that the fortunate speculator deserves his fortune because of his sagacity and foresight, why deny these attributes to the land-owner?

I do not mean to say that wealth has not been acquired by thrift and industry; but I do assert that most of the very large fortunes that strike the common observer are due to this incalculable turn in the wheel of fortune, and that the unearned increment of land values forms only a very small share of these total unearned gains. And whatever be the inference as to the policy of the State in dealing with these gains,— an inference which it is not my province to discuss here,— it is indisputably illogical and inequitable for the State to lay its hands on the land values alone. No, Mr. George, if you confiscate one kind, you must confiscate all kinds; you must meet the question of compensation with more successful arguments than have as yet been adduced.

We now come to another point. I agree with much that Mr. George has said as to present methods of taxation. But whatever is true in Mr. George's assertion has been said many times before. I object to the tax on movable capital, but for very different reasons from Mr. George. Mr. George falls into the vulgar error of supposing that a tax on capital diminishes capital, and thus production. Now, if Mr. George had studied the science of finance a little more, he would have learned that there is a great difference between a nominal capital tax and a real capital tax. A real capital tax is meant to be paid out of the capital itself, but a nominal capital tax is meant to be paid and is paid out of the income of the capital. Now, all the capital taxes in this country to-day are nominal capital taxes. They are meant to be paid and are paid out of the profits of the capital. They do not lessen in any degree the previously existing stock of capital. The real capital taxes which actually trench upon a nation's capital, as apart from its revenue, have been very exceptional in the history of the world, and known only in times of great national crises. But the distinction between real and nominal taxes is familiar to every tyro in the science of finance. I do not therefore object to a capital tax for any such crude reason as that of Mr. George. I object to a tax on personal property in general: first, because the owners of personal property always manage to escape the burden, and roll it

off upon the possessors of real property; and, secondly, because property is no true measure of ability to pay. Mr. George indeed has said that he repudiates the doctrine of ability as the basis of taxation; but he has simply made the assertion, he has given absolutely no proof. Ability to pay is the ideal basis of taxation. It lies instinctively and unconsciously at the bottom of all our endeavors at reform. When we say that indirect taxes are, on the whole, unfair to the laborers, we mean that they are less able to pay the same tax than the wealthier portion of the community. Their ability is less. When we say that a corporation with large receipts should pay more than one with small receipts, we do so because we instinctively feel that their ability to pay is greater. Look at it from whatever standpoint you will, ability to pay is the goal toward which all civilization is aiming, and it is false to say that this goal is impossible. Take Switzerland with its progressive income taxes, take Australia with its graduated succession duties, take other countries with their manifold systems, and you will find a greater or less approximation to this ideal. But do not take our American property tax (which is not based on ability to bear), and say that, because it is a failure, the whole principle of ability must be abandoned. As I said this morning, the principle of privileges or benefits is the principle away from which, not toward which, all science and progress have worked. It is founded on a false political philosophy, it can result only in a false political economy. Mr. George cannot, by a mere unproved assertion, reverse the progress of history and the advance of science. All nations originally started out with a tax on land; and they have worked away from that condition, as they have worked away from the primitive system of the village community. Both are suited only to the earliest stages of society.

Mr. George to-night made some very eloquent remarks about the oppressed workmen in the slums. It would be easy to draw a vivid picture of the oppressed farmer under the single tax *régime*. Our present general property tax, I confess, results in an outrageous overburdening of the farmer. But how would it be under the new principle? His burden would be intensified, not lessened. I confess that, in so far as the State taxes are concerned, it would be the owners of the city lots who would bear the chief burden, because the site value (which, as I understand it, the single tax will primarily affect) is far greater in the crowded cities than in the rural districts. But how about the local taxes, compared to

which the State taxes are very insignificant? To-day it is a well-known fact that the personal property tax, which is a failure in the large cities, is more and more successful as the towns become smaller. If you will look at the assessment books of any prosperous community, you will find many inhabitants of the small village assessed at good figures for their dwelling-houses, for bank stock, or for their intangible personalty. Were we to have only the single tax, the farmer would have to pay not only the local tax that he pays now, but also the entire share of those who now contribute a considerable part of the taxes out of their personal property. No wonder the farmers perceive that this will ruin them. The immunity from indirect taxes would be dearly purchased at such a price; for it would result in the total annihilation of the one class above all others upon which true American civilization rests,— the independent small farmer. As long as the United States remains pre-eminently an agricultural community, as long as the farmers' alliances are of any political importance, the single tax will never become a practical question.

And how is the social millennium to be brought about even for the city workman? The trouble with the average inhabitant of the tenement houses in our large cities is that they have to pay immense rents and get low wages. But how is the simple fact of their paying rent to a State official instead of to a private individual going to decrease their rent and increase their wages? Mr. George talks a great deal about private land held for speculative purposes; but I venture to say that south of 42d Street in the city of New York — the home of the major part of the tenement house population — not one-fiftieth of one per cent. of the building lots lie idle. How is the single tax going to relieve the inhabitants of the slums? They will not go to the suburbs where there is plenty of land for the same reasons that they do not go there now. Rent in the suburbs or up-town districts is at the present moment vastly less than in the crowded slums, and yet the slums are crowded. The average workman prefers to be near his work, prefers to enjoy the social opportunities of contact with his fellow-workman, evenings as well as day-times. All careful students of the problem of housing the poor have come to the conclusion that it is in the crowded centres where there is no unoccupied land, and not in the suburbs where rents are low, that the problem must be solved. Now, when we look at the thing from a practical standpoint, how is the tenement-house workman to derive

any benefit from the single tax? His rent will be just exactly as high as at present; for his rent is a veritable rack-rent, fixed by the stress of competition. The competition for rooms will be not a whit less when the State becomes the landlord. And how are his wages to be increased? Wages can be increased in only one of three ways,— through the increase of capital, through the increased efficiency of the laborer, or through the increased standard of living, which will enable the workman to compel higher wages. But the single tax can accomplish none of these three things. To take away economic rent and to turn it over to the State will not increase capital one whit, will not decrease the monthly rent of the tenement-house population by one iota. Into what does all this fair dream of economic felicity resolve itself? Into mere mist, into mere nothingness. The tenement-house population, no more than the American farmer, will derive no advantage from the single tax.

Mr. George, you ask us, if the single tax is not the remedy, what is the remedy? Ay, that is the question. The science of political economy I consider the deepest, the most difficult, the most complex of all sciences. It is still in its infancy. The laws of social well-being do exist; but we are only finite mortals, and have only begun to acquire the first inkling of these laws. No one is more desirous of attaining social peace, no one has to-day a deeper sympathy with the unhappy lot of the toilers, no one is more anxious to seek out the true harmony of social interests, than the student of political economy. If we thought that you had solved the problem, we would enthrone you high on our council seats, we would reverently bend the knee and acknowledge in you a master, a prophet. But when you come to us with a tale that is as old as the hills, when you set forth in your writings doctrines that have been long exploded, when you in the innocence of your enthusiasm seek to impose upon us a remedy which appears to us as unjust as it is one-sided, as illogical as it is inequitable, we have a right to protest. All careful students beware of the man with the *ism*. This is not the first time that the enthusiast has supposed that he has discovered a world-saving panacea. The remedy lies not in any such lop-sided idea: the remedy is the slow and gradual evolution in a hundred ways of the moral conscience of mankind. You cannot solve the labor problem by any rule of thumb. Every student of history, every student of political philosophy, every student of economics, will tell you that the progress of the race has been a slow and painful one; that the world has advanced bit by bit; and that each successive step, to be enduring, must be founded on justice. To suppose for a moment that the social millennium will be ushered in by any one sudden change — even were the change not so lamentably inadequate as the one proposed — is an evidence, not of wisdom, but of short-sightedness.

II. REMARKS OF JAMES R. CARRET, OF BOSTON.

We have met here to discuss a question of Social Science, not as a mere matter for discussion, but in order that we may better understand a proposed measure for social improvement. This Association exists to seek out and forward such means as will improve social conditions. That society needs improvement is admitted by the very existence of this Association. A party has arisen which finds the source of the evils from which society suffers in its treatment of the land which is essential to the life of all. Society treats land as private property. It is therefore the system of private land-ownership that is on trial here to-day. Like all social institutions, it must justify its existence. As "the Sabbath was made for man, not man for the Sabbath," so with the earth and social institutions. The arrangements of human society in relation to land exist not to enable land to be held, but to be used. If they interfere with or prevent its use, they stand condemned. They have usurped their place, and have become the masters instead of the servants of man. However useful they may have been originally, that is no warrant for their further existence. They have reached the stage and should receive the treatment of a worn-out garment.

I am not an economist or a financier; but, having obtained some knowledge of matters relating to land by an experience of nineteen years as a conveyancer, in examining titles to real estate in Boston and its vicinity, I have been asked to use some definite results of those investigations which bear on the single tax as a contribution to this discussion. Of that period, a little more than six years were passed in the service of the city of Boston, as an assistant city solicitor in its law department. As such, I was charged with the duty of examining titles, to determine that those persons were properly entitled to payment with whom settlements of claims had been made (and who were named as payees in orders for payment of money) for damages for the laying out, widening, or other improvement of streets, for the changing of grade of streets, or for lands taken or purchased for school-house or engine-house lots, or for other public uses.

From the point of view of that experience, I am called upon to criticise the present method of treating the holding of land, the system of private land-ownership, as Mr. George has termed it. That term is practically accurate, but legally inaccurate; for, as a matter of legal principle, wherever the common law of England prevails, no man is an absolute owner of land: he can only have an "estate" in it. The ultimate owner of all the land in the jurisdiction is the people in its collective capacity, the State. It is this principle that single-tax men would make a living reality. In this we are simply following out the line of previous progress. The principles of English freedom, for which our forefathers of the period of the Revolution contended, necessarily existed in the constitution which governed them as a part of the English people; but such freedom itself was practically denied to them. By the Declaration of Independence they defined the scope of liberty with greater clearness; by the war of the Revolution they won the right to apply those principles free from outside interference. The immediate and apparent evils from which they suffered they remedied; in those respects they secured freedom and transmitted it to their descendants. But they failed so to arrange institutions as to secure freedom in all respects. We see their failure, and would remedy it; we seek to apply in their completeness the principles of liberty which they defined and transmitted to us. We would make the American people free in fact as well as in name.

First, then, it appears to me that the system of private land-ownership is opposed to the public welfare, because it interferes with and delays or prevents public improvements. During the period of my service as assistant city solicitor of the city of Boston more than five million dollars were paid out by the city, on my certificate, on account of the taking or purchase of land for various public purposes. This amount was either obtained by present taxation or became part of the city debt to be paid by future taxation. It was offset in part by sums obtained by the assessment of betterments. But it is clear that the necessity of paying large sums of money simply to acquire the land needed for any public improvement is an obstacle to such improvement, a difficulty to be removed, just as a ledge of rock on a house-lot, which must be removed by blasting, is an obstacle to the building of a house. I need not weary you with the recital of instances. I doubt not that the reluctance of public bodies to take action on the laying out of streets or other such improvements, where it will be necessary

to pay damages for the land, is something that can be found in every locality with which each of you is familiar. I believe that each of you in his own locality has known of instances where some public improvement has been delayed or defeated by the greed of some land-owner who demanded an exorbitant price for his land. But I wish to mention one conspicuous instance of the fact that private ownership stands in the way of the public interest. All of you who live in Boston or its vicinity are doubtless familiar with the Harvard Bridge lately built by the cities of Boston and Cambridge from Beacon Street opposite West Chester Park across Charles River to the Cambridge side. The approach on the Boston side has been completed; but though the bridge itself was completed at least a year ago, though the avenue for travel between Cambridge and the Back Bay and southerly part of Boston, which it will afford, has long been a public need, it has not yet been opened for travel. And why not? Because the approach on the Cambridge side has not yet been completed. And, again, why not? Because on the Cambridge side a few hundred feet from the end of the bridge the avenue to it crosses the Grand Junction branch of the Boston & Albany Railroad, and there is a dispute between the two cities whether such crossing shall be at grade or by an overhead bridge.

But, to go back farther, the act of the legislature which authorized the construction of the bridge and approaches apparently permits a grade crossing, and it is said that this was so fixed by the influence of the owners of the lands abutting upon the avenue on the Cambridge side, who wished to avoid the heavy expense of raising the grade of their lands, which would be rendered necessary by the high grade of an avenue crossing the railroad by an overhead bridge. And this method of a grade crossing is now favored by the city government of Cambridge, which is reluctant to incur the expense of building the avenue to such high grade. The charge that the influence of private interests was so used has been made in the newspapers; whether this is true or not, I do not know of my own knowledge; but, under the present system, such owners might fairly and openly oppose the overhead plan as being detrimental to their interests and they would be listened to. But it is also clear that the public interest requires that no crossing of a railroad at grade should be allowed in a large city, and that any legislation which permits such crossing is a sacrifice of the interests of the public. That private interests are all-power-

ful in affecting legislation; that, in conflicts between them and the public interest, the latter almost invariably goes to the wall,—are characteristics of the present social system well known to every observer. But under the single tax it is not likely that there would have been any such controversy in this case. Under the present system the incentive for the owners of such lands (vacant marsh lands and flats) is to avoid making improvements. Under the single tax the direct opposite would be the case; and, further, the raising of the grade of such lands to make them available for use would be a private improvement, not subject to taxation, and such return as the owner would get for it would be his without diminution.

Further, as to public improvements generally under the single tax. Under that system, when public officers find it necessary or expedient to acquire land for some public use, as land would have little or no selling value, they will not be obliged to raise large sums of money simply to acquire the land. But the question for them to consider will be, Is the proposed object or improvement of sufficient need or importance to justify us in foregoing that part of the public revenue derived from the lands required? With the added consideration, however, that the return, arising from the increased value given to other lands by the improvement, will go wholly into the public treasury, or, in other words, the public would get the whole betterment.

Second, the present system, under which land has a selling value,—that is, when no one can obtain land for use without paying a price, or, in other words, making a payment not as an equivalent for service rendered, but for the transfer of a monopoly privilege,—stands in the way of private improvements also. I will give one instance of a familiar character. A Boston business man of my acquaintance wished to build a factory to do some manufacturing in connection with his business. He found in a suburban city land suitable for his purpose, vacant marsh land adjoining a railroad. The land was assessed at $150 per acre; the owner asked him 10 cents per square foot, over $4,300 per acre. He considered that to be much more than it was worth,—it was certainly more than he could afford to pay,—and the result was that he abandoned the enterprise. Doubtless many similar cases are known to all of you, and I leave it to your own recollection and experience to supply them.

Third, but my special experience as a conveyancer has made me

acquainted with another class of cases where the present system stands in the way of the best use of land. The complexity of our civilization is reflected in the methods of holding and disposing of lands. In the earlier and more simple days of American life, and to this day also where simple conditions of life prevail, it was and is the custom for a man to have in a piece of land an absolute estate in fee-simple. But in Boston and its vicinity there has been for years an increasing tendency to sell land subject to certain limitations upon its use, by way of conditions, restrictions, stipulations, or agreements; and I presume that the same tendency exists in other large cities. The effect of this is that, as to a given piece of land so conveyed, A, who is called the owner, has an estate in fee-simple and the apparently exclusive right of use, but is obliged to conform his use to certain limitations. These were imposed by M, a former owner, either for the benefit of lands that he retained, expecting afterward to sell, or for the benefit of other lands already sold by him, in the sale of which he agreed to impose limitations when subsequently selling the lands then retained. In the changes which take place in our rapidly growing cities it frequently happens that the uses to which a piece of land is limited become unsuitable; it is desired to use it for other purposes, and it becomes necessary to obtain a complete and absolute title. For that is required not only conveyance from A or those holding under him, but also releases from M or his heirs or devisees, and from all the persons for whose benefit he imposed the limitations or those at the time holding under them. Every conveyancer of experience, certainly in Boston and vicinity, knows of such cases. I myself recall one where it was attempted to obtain releases of a limitation imposed more than eighty years ago. It was necessary first to spend many weeks in searching records in various Probate Offices, Registries of Deeds, and public offices for the registration of births, marriages, and deaths, and in following up other sources of information, in order to ascertain who were the persons to be asked to release. These were scattered all over the United States; most of them knew nothing about the matter, and months were consumed in correspondence and explanation before bringing about any result.

Another difficulty which often arises in cases where lands have been so conveyed subject to limitations is the determination of what are the other lands for the benefit of which the limitations were imposed. I recall a case where it was proposed to build a

church on a certain corner lot. The lot was subject to a restriction which required the building to be set back 20 feet from the line of the cross street. To comply with this made the lot too small for the proposed church, and it was desired to obtain releases. The question arose whether the persons entitled to enforce the restriction were the owners of all the lots shown on the same plan with the corner lot, which gave lots fronting on several streets, or only the owners of lots fronting on the same cross street as the corner lot. It was impossible to decide the question with certainty upon the cases in the reports, and a conclusive answer could have been obtained only by litigation. The project of building a church there was therefore abandoned.

The opportunities for "striking," as the slang phrase is, which are offered by a system under which one man apparently is the owner and has the right of use, but where he cannot use the land in certain ways without obtaining releases or consent from others, are obvious enough. Instances of that character are known to every conveyancer, where the reason for the imposition of the limitation in the first place has entirely ceased to exist, where the limitation is simply a hindrance to the best use of the land, and is of no value whatever to the descendants or successors of the persons in whose favor it was imposed; but, when a release is asked for, this vague interest is used as a basis for an exorbitant exaction. The obligation of professional secrecy prevents me from giving specific instances which have come to my knowledge; but that the unrestricted power of individuals to impose such limitations upon the use of land is an evil, and is against "public policy," as the legal phrase is, has practically been decided by the legislature of Massachusetts. For, several years since, it passed an act providing that in any deed of real estate containing such limitations, if no period is fixed for which the limitations are to continue, the deed shall be construed as imposing them only for the period of thirty years. This of course does not touch perpetual limitations in prior deeds, and does not prevent perpetual limitations from being imposed, if so now expressly framed. But the practical result has been that usually a period is expressly named, and, as far as my observation goes, seldom more than thirty years, and frequently a shorter time. This legislation is a recognition of the principle that each generation of men ought to be left free to use the earth as they think best, or, as Jefferson briefly expressed it, "The earth belongs in usufruct to the living, and not to the

dead," and is an encouraging sign of the growth of a truer perception of the relations of man to the earth.

It may be objected that, if the form of private land-ownership be left, as is proposed by the promoters of the single tax, the particular form of mischief arising from it on which I have just dwelt will still be possible. Apparently, that is true; but, in fact, I think that a remedy will be found, which even now can be applied, to some extent, in the taxing power. But, to obtain this remedy, better legislation is needed. And here again the advantage of the single tax system can be seen. For among not the least of the benefits to society from the single tax which I anticipate will be that the time of legislative bodies will be spent in looking after the public interest instead of private interests. Any one has only to take up the published volume of acts and resolves passed at any session of any State legislature or of Congress to determine for himself which now has the preponderance of attention. In the day of the single tax, when the fashion of meddling with the private affairs and business of the people is done away with, when individuals cannot obtain franchises which give them the monopoly power of acquiring the product of other people's labor, the legislature will take time to see if improvements cannot be made in the laws which regulate the holding and transmission of land. They will find that ballot reform is not the only reform to which Australia can point us the way. They will find in operation in the colonies of Australia and in other parts of the British Empire the Torrens system of registration of title, first established in South Australia in 1858, under the government of Sir Robert Torrens. They will find that assessors, freed from the necessity of nosing into people's personal affairs and able to devote their whole time to the determination of land values, can determine not only those, but under that system can determine in a reasonable time, with proper professional assistance from surveyors and lawyers, the exact position, area, and title of every piece of land in every city and town in the State. With such a method of dealing with land, if any man has any interest, right, or control by reason of any limitation in land owned by another, the assessors can value it, and he will be invited to pay the annual value of the privilege into the public treasury. As long as that interest is essential to the enjoyment of his own estate, he will doubtless pay for it with cheerfulness; but as soon as it ceases to have any value, unless human nature should become very different from

what it now is, he will hasten to release and get rid of it, as the easiest way to avoid taxation on account of it.

Fourth, an important and practical question to which I wish to call your attention is how the single tax will affect users of land as tax-payers. Of the two forms of taxation to which we are subjected, that for State and local purposes is direct, that to raise money for the use of the national government is indirect. I have been especially concerned with the former, because, in the examination of titles, it is always necessary to ascertain to whom the parcel of land has been assessed for purposes of taxation, in order to determine if all taxes and assessments affecting it have been paid, as such are a lien upon the land. In Massachusetts, under a statute first passed in 1861, land and buildings are valued separately for purposes of taxation; and this method of assessment makes it easy to compare the value of lands used by different classes, and to see the proportion which the value of the land bears to the value of the buildings placed upon it. From the facts disclosed by this method of assessment, the rule can be deduced, which one would naturally expect to find; namely, that people use land in proportion to their means,— that is, that rich and well-to-do people use valuable land, and those who are poor and of moderate means use cheap land, and that where the latter use valuable land, the rule still holds good, in effect, because in such cases many are crowded together on one spot, giving each one the use of but a small portion.

Taking now some actual cases of valuation of estates, I present the following. A friend in Boston who lives in a suburban town has informed me that, as trustee under a will, he has invested somewhat over ten thousand dollars in small mortgages of real estate, given by mechanics and laboring men on their homesteads, the value of their lots of land ranging from $100 to $200 and averaging $150; and that he lends on their estates an amount equal to the cost of the house above the ground, excluding the cost of digging the cellar and putting in the foundation. His loans run from $800 to $1,200. I am not able to give the exact figures of assessment in these cases, for the town list of assessments, though in course of publication, has not yet been published; but, assuming that the assessors would follow the common practice of assessing estates a little under the cost, it seems to me that a fair estimate of the total valuation of these estates would be a range of values from $1,000 to $1,400. The rate of taxation in the town in 1889

was $15 per $1,000. According to that estimate, then, the owners of these estates paid in 1889 from $15 to $21 for State, county, and town taxes. Under a single tax on the value of the land alone, taking the rate at five per cent., an estimate which I will explain below, they would have paid from $5 to $10, averaging $7.50.

I take the following from the assessors' report of polls, valuation, and taxes of the town of Southborough in Massachusetts, May 1, 1888, omitting the names of the persons, indicating them by letter; a poll-tax of $2 being apparently added by the assessors to the tax on real and personal estate.

Owner and Estate assessed.		TAX	
		Under Present System.	*Under the Single Tax.*
A, Horse and carriage,	$100		
House, $1,000; barn, $300,	1,300		
House-lot, 43 rods,	200	$21.04	$10.00
Same, house, $1,100; barn, $100,	1,200		
House-lot, 52 rods,	200	16.66	10.00
B, House,	700		
House-lot, 120 rods,	225	13.01	11.25
C, Machinery, $600; horse, $75,	675		
House, $1,700; barn, $300,	2,000		
House-lot, 8 rods,	400	38.59	20.00
D, Horse, $100; house, $800,	900		
House-lot, 40 rods,	150	14.50	7.50
E, House,	2,300		
House-lot, 47 rods,	200	31.75	10.00
F, House,	1,075		
House-lot, 47 rods,	125	16.28	6.25
G, House, $1,300; hen-house, $25,	1,325		
House-lot, 55 rods,	200	20.15	10.00
H, House,	600		
House-lot, 120 rods,	200	11.52	10.00
I, House,	1,075		
House-lot, 68 rods,	100	13.98	5.00

These people are of various occupations, among them being found a machinist, carpenter, stone-cutter, blacksmith, and shoemaker.

I now add the assessment of various estates, all dwelling-houses, in the immediate suburbs or within the limits of the city of Boston. I know nothing as to how much the various owners of them are assessed in respect of personal property, so that that item of comparison is not available.

Area Square Feet.	*Value of Land.*	*Value of Buildings.*	*Total Assessed Value.*	TAX	
				Under Present System.	*Under the Single Tax.*
4,000	$500.00	$2,200.00	$2,700.00	$37.80	$25.00
5,000	600.00	2,500.00	3,100.00	43.40	30.00
4,000	500.00	2,700.00	3,200.00	44.80	25.00
5,589	1,100.00	4,500.00	5,600 00	78.40	55.00
3,195	600.00	5,000.00	5,600.00	74.48	30.00
3,437	900.00	4,000.00	4.900.00	65.17	45.00
4,312.5	1,700.00	4,000.00	5,700.00	51.30	85.00
5,000	1,200.00	3,800.00	5,000.00	66.50	60.00
5,010	2,000.00	5,000.00	7,000.00	93.10	100.00
4,915	2,500.00	4,500.00	7,000.00	93.10	125.00
1,440	2,900.00	4.500.00	7,400.00	98.42	145.00
1,670	2,500.00	5,000.00	7,500.00	99.75	125.00
1,620	2,400.00	5,000 00	7,400.00	98.42	120.00
2,097	3,100.00	7,000.00	10,100.00	134.33	155.00
1,980	3,000.00	6,000.00	9,000 00	119.70	150.00
2,099	6,200.00	5,400.00	11,600.00	154.28	310.00
1,700	4,700.00	7,600.00	12,300.00	163.59	235.00
2,697	6,500.00	6,500.00	13,000.00	172.90	325.00
1,494	9,000.00	11,500.00	20,500.00	272.65	450.00
2,538	8,200.00	13,300.00	21,500.00	285.95	410.00
2,635	20,000.00	26,000.00	46,000.00	611.80	1,000.00
239,561	40,700.00	15,300.00	56,000.00	744.80	2,035.00
8,715	96,000.00	114,000.00	210,000.00	2,793.00	4,800.00
10,956	99,000.00	125,000 00	224,000.00	2,979.20	4,950.00

All the estates given in the last table have single dwelling-houses on them; one or two of those of medium value are, I believe, occupied as boarding-houses; and possibly one or two of those of lower value are occupied by two families. A study of these two tables, and of the homesteads in a suburban town first mentioned, shows great variety in the proportion of value of land to the value of buildings on it. In the case of the little homesteads of the poor we find proportions 1 to $10\frac{3}{4}$, 1 to 8, 1 to 7, 1 to $6\frac{1}{2}$, 1 to 6, 1 to $5\frac{1}{2}$, 1 to 5. With the increase in the scale of well-being there is a diminution of proportion, 1 to 4, 1 to $3\frac{1}{6}$, 1 to $2\frac{1}{2}$, 1 to 2, 1 to $1\frac{4}{5}$, 1 to $1\frac{3}{10}$, 1 to $1\frac{1}{4}$, 1 to $1\frac{1}{8}$, and in two cases given the value of the land exceeds the value of the buildings, one being about as $1\frac{1}{4}$ to 1, and the other, a piece of suburban property, about as $2\frac{2}{3}$ to 1.

It appears, then, that the rule that it costs the poor more in proportion to their means to supply their needs than it does the well-to-do applies also to their furnishing themselves with the shelter of a house. The truth of this becomes more clear when the fact is considered that in many cases the house of a poor man represents all his savings; and in many others, where he has borrowed the

money to build it and has given a mortgage of it as security, it represents the necessity of making future savings. To tax a man in respect of the house that he has mortgaged is to tax him upon his debt and to diminish his ability to save his earnings and pay it. It is a mere legal distinction to class a building annexed to land as real estate. Like the materials of which it is composed, it is a product of labor; and to tax men in respect of the products of labor is to discourage industry and thrift.

Since it is clear that the proportion to their means of the value of the houses that men occupy is not the same for all classes, it follows that to tax men in respect of their houses is to violate the canon of just taxation that men should be taxed in proportion to their means. Leaving out of account taxation of personal property, and considering only the taxation of real estate for State and local purposes, a study of the tables given above shows clearly that poor people and those of moderate means are paying in taxes more under the present system than they would pay under the single tax, and that the well-to-do and the rich are paying much less now than they would under the single tax. And for further evidence I wish to refer to some studies made by Mr. S. H. Howes, of Southborough. He finds by calculation (based upon the same assessment for 1888 from which I have quoted above) that the farmers of his town, with few exceptions, would pay less under the single tax system than under the present. The exceptions are where men hold and use, for farming, lands more suitable to be cut up into house-lots and occupied for residences. During the present year the board of assessors of the town, of whom he is now one, have decided that the farming lands are valued too high, and have cut down the valuations of them on an average ten per cent., which makes the balance in favor of the single tax system there still greater.

But the excess of the burden upon the poor under the present system over that under the single tax becomes still more marked when we take into consideration also the indirect taxation due to the tariff. It is of course impossible to give exact figures of the burden of tariff taxation upon individuals, but estimates have been made. Senator Hoar, in a speech made in Boston, Nov. 2, 1888, estimated that an ordinary laboring man who has a family of seven to support, and whose average earnings are $2.50 a day, pays $50 a year by reason of the increased price due to tariff taxation. Mr. Carroll D. Wright, as quoted in a document prepared

by the Massachusetts Tariff Reform League, says that a man whose earnings amount to $1,000 a year pays $100 per year in increase of prices due to the tariff. One of the estates mentioned by me in the second table above belongs to a young man, a salesman in a store, who earns probably from $1,000 to $1,200 per year. He would pay under the single tax $25: he now pays in direct tax to the State $44.80, and adding to that $50 for tariff taxation, the same amount that is paid by the laboring man according to Mr. Hoar, makes his total tax $94.80, nearly four times what he would pay under the single tax system.

Again, looking at lands used for business purposes, and which are, as a general thing, hired and not owned by the users, the present system increases the cost of using land to them beyond what it would probably be under the single tax. This is due to two causes: first, the present system enables owners of land to retain old and unsuitable buildings on valuable sites, and does not offer any incentive to put land to its full use or to its best use. A study that I made about a year and a half ago of the buildings on Court Street in Boston, in the immediate vicinity of the court-house, showed that the lands on that street within four hundred feet of the court-house were used to the extent of one-third only of their available capacity. The effect of this, of course, is to diminish the supply of offices, so that an increasing demand is not fully met, and hence increase of rents. And the second cause is that such new buildings as are erected, being increased in cost by the increased cost of the materials due to tariff taxation, larger rents have to be paid by the users of such buildings, according to the well-known rule that the burden of indirect taxation is shifted upon and borne by the consumer. The effect of the single tax would be to compel owners of land to use it to the best advantage, or to abandon it to some one else who would so use it. In cities, owners of valuable land occupied by old and unsuitable buildings would find it necessary to remove them and supply their place with better. The immediate effect would be increased demand for all materials that enter into the construction of buildings, and therefore for the labor of those who provide them, and next for the labor of those who construct the buildings. Hence, increase of wages for all such workmen, a better demand by them in turn for all things required to supply their wants. Hence, a wave of prosperity which would spread through the whole community; and, men being left free to exchange with each other, there could not

be any overproduction, as the phrase is, but, as water naturally seeks a level, so products would flow to the point where they are needed. And, further, since the private monopoly of land would be destroyed, men would be able to obtain land for use for any purpose: they would have the chance to employ themselves, to find out the occupation to which they are best suited, and to use their powers accordingly.

I have estimated above 5 per cent. as the average ground rent. I arrive at that in this way. Men will not invest in land unless they can obtain as much from its use as they can obtain from other investments. The net return that can be obtained from first-class mortgages is a fair index of what can be obtained from sound investments. I know that by sufficient attention a little more than 4 per cent. can be obtained on first-class mortgages in Boston and vicinity, as the average of a considerable fund; but I take 4 per cent. as a conservative estimate. The average taxation on land values in Boston for several years past has been about $1\frac{3}{10}$ per cent. Adding the two gives more than 5 per cent.; but, again, I have taken 5 per cent. as a conservative estimate.

It will be interesting to compare the amount raised by taxation in the city of Boston, under the present system, and what it would be under the single tax. I take the figures for 1889, as those for the current year are not yet available. The valuation of property in Boston for purposes of taxation May 1, 1889, was as follows (I take round numbers): —

Real estate:		
Land	$349,000,000	
Buildings	245,000,000	$594,000,000
Personal estate		202,000,000
		$796,000,000
Total direct tax for State, county, and city purposes		$10,507,805
Of which there was paid in respect of land		$43\frac{88}{100}$ per cent.
Buildings		$30\frac{55}{100}$ " "
Personal estate		$25\frac{39}{100}$ " "

Taking into consideration the large areas of land included in the locations of railroads within the city limits; of lands occupied by churches and sundry corporations, charitable and otherwise, which are exempt from taxation; and the value of the franchise of corporations which use the public streets without charge, — I consider an addition of $50,000,000 a moderate estimate, and $400,-

000,000 as the total land value of Boston, which at 5 per cent. would give for the product of the single tax $20,000,000. The needs of the National Government, economically administered, should not require more than $300,000,000. $5 per head of the present population, about 65,000,000, would give $325,000,000. As the Constitution requires that direct taxes shall be assessed on the States in proportion to population, the share of the city of Boston whose population somewhat exceeds 400,000, would be about $2,250,000, leaving $17,750,000 for State and local purposes, and giving opportunity for providing better public service than we now have.

From the facts that I have stated it seems to me clear that the application of the single tax system will greatly diminish the excessive burden of taxation now borne by the poor and people of moderate means, who form the bulk of the community; will better enable every one to make the best use of his powers, and will establish that equality before the law which in theory forms the basis of our institutions.

12. THE SINGLE TAX.

BY W. T. HARRIS, U. S. COMMISSIONER OF EDUCATION.

By the expression "single tax" is meant a tax levied on land exclusive of improvements of all descriptions, said tax being the sole tax levied by the government. This is the meaning given it by Henry George and his followers, and in the current discussions of the day which have grown out of Mr. George's attack on the institution of private property in land. In his famous book on "Progress and Poverty," and in supplementary writings of his, he contends that private ownership in land is the chief cause of poverty among men, and that it should accordingly be abolished. A practical scheme for this purpose he suggests would be the levying by the State of a tax on land sufficient to absorb the entire rental collected for the land minus the improvements of all kinds. This would practically confiscate land, according to his view. It is to be presumed that most of the advocates of a single tax ground their advocacy of it on this doctrine of the evil of property in land, and on the supposed efficacy of a single tax to confiscate and destroy this species of property.

But it must be admitted that a single tax may likewise be advocated by others on the ground that it is the most equitable tax, because it will diffuse its burden throughout the community in a most equable manner. Moreover, these other advocates of a single tax may differ among themselves as to the kind of property on which the tax is to be assessed. It may be, for instance, on personal property alone, or on real estate alone, or on that part of real estate known as "improvements"; or on the land pure and simple, without these improvements; or, finally, the usual tax on property of all kinds and descriptions may be called a single tax on property; or it may be levied on all persons as persons without regard to their possessions, or on a class of persons,— all males for example, or on all males who are of age, or who vote. Any one of these forms of taxation of person or of property is a single tax, and may be preferred by such theorists as believe it to be

more salutary to the best interests of the people. It may be said of a preferred form of single tax that it encourages productive industry, while others militate against it; or that it prevents the unequal accumulation of wealth; or, on the other hand, that it encourages the accumulation of capital; or that it interests all citizens in the support of the government; or that the citizen pays his tax without feeling it (as in the case of duties on imports); or that it respects personalty more than property (a reason for a single poll tax); or that it abolishes some kind of property or restrains its production within limits (for example, the excise tax on whiskey or tobacco, or, finally, this single tax on land).

Now, it is a matter of prime importance in discussing the question of taxation to consider where the ultimate burden will fall. If the class of property taxed is of such a nature that its owners can at once transfer the burden to another class of people who are a step nearer the final consumption of the products of the property, it must be considered what is the effect of this transference. Does it entirely relieve the property-owner of his just share in the expense of supporting the government? If so, a reasonable objection will lie against it. This objection may be more or less counterbalanced by showing that this mode of collection avoids greater evils; for example, the evil of using distraint or violence — the jail, for example — to compel the payment of taxes on the part of the "ultimate consumers" here mentioned. Doubtless any indirect system is better than this force system used formerly in this country, and at present in many parts of the world, as, for example, in the rural districts of Russia.

It is evident that our question of single-tax therefore has two aspects. First, what would be the effect of such a tax on the ownership of land; on its productivity and general usefulness; on the accumulation of capital; on the encouragement of productive industry; on the growth of self-respect and aspiration among the people at large? and what other effects like or different from these? Does, in the first place, an exclusive land tax tend to strengthen or to weaken the power of the land-holding class?

The second aspect of the question relates to the intrinsic question of property in land, whether evil or good.

Addressing ourselves to the first question,— the effects of a land tax,— let us note, first, that there are two widely different uses for land, in some sense antagonistic or at least competitive. The use of land for agricultural purposes,— the cultivation of the soil for its

growing productions, useful for food, clothing, and shelter,— this is the first use. The other use of land is for building lots,— the needed ground for dwelling-houses, manufactories, warehouses, etc.

The value of the land for agricultural purposes depends upon a variety of circumstances, such as fertility, nearness to market, competition of other industries affecting the price of labor, competition with other sources of supply, such as foreign commerce, or distant and more fertile farming lands brought near by cheap and rapid transportation.

The value of the lot used for building purposes depends on such circumstances as nearness to place of business, nearness to some natural advantage, such as a waterfall or a good landing-place for shipping, or a place where freight must be broken in its transit in order to be transferred from one kind of conveyance to another,— say from ship or canal to railroad or wagon; also on healthfulness; on the outlook; on the quality of the neighbors settled there; on the proximity to the elements of civilization, such as churches and schools; on the efficiency of the local and general administration of government, etc.

The price of land used for building lots is out of all proportion to its price used for purposes of agricultural production. Moreover, the one species of landed property acts against the other species to a greater or less degree; for the agricultural lands in the suburbs of a city enter into a sort of competition with the city lots, and by means of facilities of rapid transit they offer certain advantages, of cheapness of price and healthfulness of environment, that have the effect of keeping down the price of the city lots within certain limits. The competition of the two renders impossible any absolute tyranny on the part of the land-holding class.

On the other hand, the use of land for building purposes acts to prevent the utter depreciation of value that would otherwise come to land from competition with more fertile regions. New England farming, except for market-gardening purposes, does not pay the laborer more than two-thirds of the average wages earned by the people of the nation as a whole. But the demand for building lots keeps up the total value of land in every State in New England, and even increases it yearly.

The immense growth of cities, the new conditions of urban life, constantly modify the form of this struggle between building lot and farm. The use of wild and barren rocks for places of rec-

reation in the summer heats is bringing up the prices of capes and islands along the coast of Massachusetts and Maine, and of mountain resorts all over New England. The actual value of land for building lots in the State of Massachusetts cannot be far from ten times the value of land used for agricultural purposes. That State, as is known, assesses its land and improvements separately; and I count sixty-five (65) towns which assess land at upwards of one million each, and in the aggregate at a sum exceeding $488,828,178, the same being 83 per cent. of the entire value of all the land in the State, which is $587,824,672. In most of these towns the agricultural land is a very insignificant item. Looking over the list of the other towns, one sees that their land values depend chiefly on the portion used in the villages for building purposes; and I am surprised to see that the ratio of ten to one is too small rather than too large.

Hence we find the poorest land — least valuable for agriculture — vying in prices with the richest land in the State, wherever it is needed for urban purposes of recreation or dwelling sites.

This competition between two species of landed property is something that Ricardo did not dream of when he formulated his nightmare theory of rent. And I may add that Mr. Henry George, for whom I feel a far higher respect than for Ricardo, because he has made his studies in political economy in the interests of humane, philanthropic purposes,— I may add here that Mr. George seems to have left out of account this very important distinction in landed property, and thereby omitted from view the competition of land against land, which limits and prevents the absolute monopolization that he regards as the great evil in present society.

Let us study for a moment the effect of laying a single tax on land alone for the support of the government. Such a tax would be large enough to absorb more than the present net rental of all the land. But this would not matter to the land-holder if he could shift the payment of the said tax upon his tenant, nor to his tenant, if the latter could again shift it upon society at large, in the same way that the enormous rentals of New York City are collected by the merchant tenants from the purchasers of their merchandise.

The effect of the increased taxation would not at all loosen the hold of the land-owner unless the tax could not be shifted from the owner to the tenant. But, if it could not, such a tax would

certainly have the effect presupposed by the advocates of this tax; namely, to confiscate private ownership in land.

First, let us consider the case of the agriculturist. Here competition exists between widely separate sections of our own country, especially of the Mississippi Valley with the Atlantic slope, and even of California with both the former. For some time past agriculture in New England has not paid the laborer so high wages as have been paid in trade, transportation, and manufacturing. The staple crop of grain does not pay living prices in that section. Only the more perishable products of the garden and orchard have been able to hold their own against competition with the West and South.

Under the single tax, therefore, there would be a rapid decrease in prices of land whose value is solely agricultural. But, as we have seen in the case of Massachusetts, the quantity of this species of property is already a small figure. The price of this land would soon settle down to a point where the tax tribute became insignificant; and then farming would still go on as before. Land would be worth something, though a very small sum. Extensive territories could be bought up for gentlemen's parks; and the hardy peasantry that still lingers in these regions would seek other places and other work.

But the building lots would hold their own. After a little readjustment between lots in the city and lots in the suburbs, there would be a steady value. The land-owner would be able to collect the entire tax from his tenant; and his tenant would charge it again as wages or as profits on his goods and manufactures.

Thus the single tax would not confiscate land. Those who advocate the single tax under the persuasion that it will destroy land values have therefore not discovered a good device for carrying out their theory. The effect of a single tax on land is not to destroy land property, but to make great changes in present values. It will enable the wealthy man to own vast preserves where the tax has depreciated the values of present farming lands; but it will render the landlord all the more powerful in cities and villages. For, whenever large sums of ready money have to be raised to pay the tax-gatherer, the unthrifty part of the population stand no chance against the usurer and the hoarder of money.

The effect of the single tax, therefore, would in only one respect work in the direction that Mr. George's philanthrophy hopes that

it would; namely, it would tax heavily the land kept for private parks and grounds near populous cities, as well as city lots held back for speculative purposes.

Turning for a brief moment to the other phase of this question, let us ask whether the private ownership of land is an evil. And on this subject I call attention to the fallacy in the argument made against property in land. Free ownership of land is not the cause of poverty, but a preventive of poverty. It is the limitations on private ownership and free alienation of landed property which work evil in Great Britain. The laws of entail and primogeniture work to prevent dissolution of large landed estates. But, after all, land is not the chief factor in wealth anywhere, except in the places where land is cheapest because of the sparsity of population. As an actual fact, the rental of land is a small item compared with the average income of the individual here or in England. I make it to be two (2) cents a day on an average for each man, woman, and child in the United States against an average income of forty (40) cents per day for each man, woman, and child. Even if one goes so far as Mr. T. G. Shearman, who wrote in the *Forum* of last September (1889), and estimated the aggregate value of land at double the amount which I have estimated it,— namely, at twenty billions instead of ten billions of dollars,— still it does not look to be a formidable tax for ground rent, if we say four (4) cents a day instead of two (2) cents a day for the average man, woman, and child.

The great argument of those who condemn property in land is, therefore, very much weakened for us when we leave our hypotheses and inquire into the actual facts.

The real ground in favor of private property in land is the one emphasized by the history of civilization since the epoch of the Roman Empire. The Roman discovered the forms of will, the forms of social action in which men may live together in a community and not destroy each other. The subordination of person and property to the supremacy of the government was balanced by giving the individual a *dominium* in his private property, in chattels, and in land and fixtures, within which he could be absolutely free. He could do what he pleased with his private property. Through such independent exercise of his will, extending even to caprice and arbitrariness, the individual came to know himself, and to gradually lay aside his irrational for his rational tendencies and impulses. The play of the child is of the same nature. In

play the child exercises his own free will, and does not act out the prescribed forms of some one else. Hence his play is a process of self-revelation, and there is nothing which affords so powerful a nurture to the individuality of the child as his plays and games. So the institution of private property, and, above all, property in land, furnishes the most powerful of all stimulants that add strength of individuality. This is, in fact, the secret of the ability shown by the noblemen of the various countries of Europe. The land is a *dominium*, or province in which the free will can be displayed, a playground of original individuality wherein the character develops its strength. This Roman device has very gradually spread over Europe, supplanting the institution of the village community and the common fields for tillage, for pasture, and for forest trees. With this establishment of private ownership in land there have grown, step by step, the free individuality and self-respect which give modern life its great value. Where the Roman system had prevailed only in part, as in the case of the manor of four hundred years ago, the inhabitants of the land were not free to choose their habitats nor their employers, but had to remain attached to the soil, and do a certain amount of menial service at the pleasure of the lord of the manor. The present laws of primogeniture and of entail of landed estates in England are what remains of the ancient forms of land-ownership, or "primitive property," as Laveleye calls it. In all tribal civilizations, and in rudimentary civilizations generally, there is lacking this device of full ownership of land. And in consequence thereof there is, first, a defect in the management of land so as to secure its highest productivity; and, secondly, a more disastrous defect in the character of the people, who are living without the daily consciousness of the possibility of owning in fee-simple the land on which they set up their homes. It is the perpetual consciousness of the possibility of this ownership, rather than the exercise of it, which produces this salutary effect on the development of individual character.

In conclusion, I present in a table the sixty-five towns of Massachusetts showing, in 1885, land exclusive of buildings and improvements amounting in each to one million of dollars and upwards in aggregate value. These sixty-five towns have a very small fraction (not over one per cent.) of land assessed at agricultural prices; for even their farming land is held at high prices, because of the demand for it for building lots. In the remaining

portion of the State, containing land to the value of ninety-nine millions of dollars, at least one-half of the value comes from building lots in the villages and suburbs. I give this table in full, because the preponderance of urban property in the aggregate valuation of any populous State is not well known; and very few will believe on one's bare assertion that the land for building lots in Massachusetts exceeds in value the land held exclusively for agricultural purposes in the ratio of ten to one.

The lesson, too, of this statistical table is obvious and conclusive on this question of single tax; for the object of the single tax here discussed is not to attack the agricultural uses of land in sparsely settled regions so much as the private ownership in cities and thickly settled regions. The single tax will affect the values of agricultural land very materially,— reducing them to zero in most parts of the United States,— but said single tax will not have any effect on the ownership of building lots except to cause increase in rental. The great bulk of landed property, therefore, — that in populous regions,— will not be affected by the single tax, even when it collects in taxes an amount much larger than the present entire economic rental. The city of New York has in land value (exclusive of buildings) what is estimated to amount to one-thirteenth of the entire land value in the United States. This enormous item of wealth is caused by the commercial needs of the entire country. Manhattan Island is required for the purposes of a market; and each section of the country uses it, directly or indirectly, and offers competitively its price for a standing-place in said market. The result of this competition is the high value of land in the city named. The necessities of the country would continue to use Manhattan Island for its commercial purposes, even were the land there to be taxed five times its present rate. But the land-owners would not have to pay this tax. It would be paid by the millions of people who have to use the goods which pass through New York to be distributed to the consumers, and by the millions who raise products which seek the market of the world through the same cosmopolitan seaport.

We must conclude therefore, in regard to this question of a single tax assessed on land exclusive of improvements, that it would work a very dangerous and revolutionary destruction of values in all farming lands, while it would not help the people supposed to be in want of land in our thickly settled centres of population, because the tax would not fall on the owners of land,

but on their tenants, who would again collect the same in the form of wages or profits.

MASSACHUSETTS, 1885.

Towns and Cities.	*Land, exclusive of Buildings.*	*Towns and Cities.*	*Land, exclusive of Buildings.*
North Adams,	$1,315,230	Marlborough,	$1,262,770
Pittsfield,	2,902,380	Medford,	2,987,580
Attleborough,	1,959,567	Melrose,	1,872,225
Fall River,	11,852,625	Natick,	1,566,650
New Bedford,	6,573,952	Newton,	11,045,461
Taunton,	4,356,279	Somerville,	12,837,400
Beverly,	4,710,790	Wakefield,	1,177,370
Danvers,	1,017,700	Waltham,	3,362,100
Gloucester,	3,664,150	Watertown,	2,524,890
Haverhill,	5,586,895	Winchester,	1,415,673
Lawrence,	9,184,025	Woburn,	2,711,530
Lynn,	11,251,045	Brookline,	12,954,100
Manchester,	1,067,225	Dedham,	1,349,098
Marblehead,	1,385,775	Hyde Park,	1,973,537
Nahant,	1,264,540	Milton,	2,116,450
Newburyport,	1,476,840	Quincy,	2,832,775
Peabody,	1,937,050	Wellesley,	1,124,077
Salem,	4,862,590	Weymouth,	1,199,089
Swampscott,	1,160,055	Brockton,	7,552,200
Greenfield,	1,235,536	Hull,	1,167,819
Chicopee,	1,131,220	Middleborough,	1,015,405
Holyoke,	3,224,820	Plymouth,	1,013,725
Springfield,	14,053,110	Boston,	215,815,050
Westfield,	2,204,613	Chelsea,	6,701,700
West Springfield,	1,315,291	Revere,	1,858,900
Northampton,	2,425,690	Winthrop,	1,526,075
Arlington,	1,786,185	Clinton,	1,214,250
Belmont,	1,173,730	Fitchburg,	4,507,125
Cambridge,	22,425,600	Leominster,	1,318,039
Everett,	2,456,100	Milford,	1,289,152
Framingham,	1,627,970	Southbridge,	1,144,105
Lowell,	17,771,030	Worcester,	20,822,500
Malden,	5,245,750		
			$488,828,178

Total value of land, exclusive of buildings, for the entire State, $587,824,672.

CLOSE OF THE SINGLE TAX DEBATE.

The long speech of Mr. George was followed by Mr. Atkinson, as the shorter speech was followed by Professor Seligman; and these words of Mr. Atkinson closed the long debate.

FINAL REMARKS OF EDWARD ATKINSON.

Mr. ATKINSON.— I have closely followed Mr. George's propositions, and I find many fundamental points of agreement with him in some of his positions, but an absolute difference in our conclusions. There is one "unearned increment" of a most important kind which he has wholly overlooked, but which is a very proper subject of taxation; that is, the unearned increment which arises from the aging of whiskey by keeping it three years in bond. From that source, or from taxes analogous to the taxes on whiskey, such as the taxes on beer, wine, and tobacco, coupled with the whiskey tax, we now derive more than a fifth — probably a fourth — of all our public revenues for the support of national and municipal governments. In the aggregate, estimating licenses at a moderate sum, this tax comes to about $160,000,000 a year. At the present rate of taxes upon land valuation, the revenue derived from that tax is about $140,000,000 a year. In my judgment, it would be the utmost folly to relieve whiskey, beer, and tobacco from taxation, which yields $160,000,000 a year, and to double the present burden upon land, which is now $140,000,000.

In the present discussion it has appeared that Mr. George and myself agree: —

1. That there is no absolute ownership of land under the English Common Law. We agree that what individuals now possess is "*an estate in land*," which is subject to many conditions. These conditions may be varied.

2. We agree that all rents, taxes, wages, profits, and earnings are liquidated in products which are derived primarily from land, but which are rendered suitable to the necessities of men by conversion and reconversion.

3. We agree that there are certain bad taxes now in force. We

agree that, in order to get rid of bad taxes, it might not be expedient to substitute a worse one.

4. We agree that the world is very poor, always within a year or less of starvation, therefore supported mainly from each year's product.

5. We agree that the individual possession of land is necessary to productive use, in order that humanity may be sustained; in other words, that the land must be impropriated.

6. We agree that, while all things have been land, all things will be land,— dust to dust in the old form. Therefore, all forms of material substance consist of the products of land converted into a different form. How shall this conversion be worked?

Mr. George would, in my judgment, substitute for the present conditions under which land may come into the possession of the landless man other conditions which would, in my judgment, be vastly more onerous upon him. He would exempt all productive ability from taxation, except that ability which is applied to land when used as the primary tool or instrument of production. I would not exempt those higher and more potent forms of ability from bearing a share of the public burdens.

The Ricardian hypothesis of rent is a useful hypothesis for thought. It is not a workable hypothesis, by way of which a tax can be measured. It is very true that there is no difficulty in determining a valuation of land so long as you do not destroy its value in exchange. There is therefore no difficulty now in assessing land at a valuation; that is to say, at its market value. But, if Mr. George's plan, which is that of assessing land for taxation so as to destroy its market value, could be put in force, then its valuation as an article of exchange must be ended; and its valuation or rental value for purposes of taxation would depend wholly upon the arbitrary judgment of a board of assessors, who might or might not be competent to make the assessment.

Mr. George and myself agree that the widest possible distribution of land is desirable; and I cannot but wish that Mr. George had applied the considerable ability which he possesses to a closer study of the Torrens System of the Registry of Land Titles while he was in Australia. It is a system which greatly facilitates the distribution of land, of which I am making a very close study for future publication.

The conclusion to which I think we have been led by this discussion is, that all Mr. George has proposed is a change in the existing

conditions under which the possession of land is to be granted by the State; and, in the judgment of those who have listened closely to his rhetoric, in order to eliminate a thread of reasoning, he has utterly failed to make a good case for such a change as that which he advocates, which, after all, is but a change in the details of taxation.

There is one point in Mr. George's whole argument and method to which I take most profound exception. He attributes to the existence of wealth the cause of poverty. For this he is without a shadow of justification, and he makes use of that erroneous assumption in creating malignant discontent,— in stirring up class hatred and in laying a foundation of more mischief than he can cure with a lifetime of service. Upon a pure assumption, ill-grounded in logic or reason, that a single tax on land valuation would be a remedy for poverty, he creates a prejudice against people of wealth, whose gains have been made in such a way that their very gains are but a slight measure of the services which they have rendered to their fellow-men; and he denounces many owners of this wealth, not by name but in fact, who are well known to every person in this room, whose urgent work for the benefit of humanity raises them to a plane so far above the ill-digested undertakings upon which he has entered in the matter of taxation as to put his efforts utterly in the shade.

The efforts which are being made on every side by the rich, the well-to-do, and the intelligent, in abating that ignorance which is the prime cause of poverty, will be continued with greater and greater and ever increasing beneficent results, long after the theory of the single tax upon land valuation shall have been laid away and forgotten; as so many other plausible methods of dealing with these portentous questions of poverty and pauperism have been put aside because they touch not the root of the matter. All such panaceas fail, because they do not tend in the slightest measure to develop the individual capacity of man himself, so as to enable him to take more and more advantage of the opportunity for material welfare which science and invention are constantly placing at his disposal.

CIRCULAR OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

CONCORD, MASS., Nov. 1, 1890.

DEAR SIR:

The Executive Committee of the American Social Science Association desire to call your attention to the position and work of this society, which was organized twenty-one years since, and has been instrumental in many undertakings of a public character which have had important results. Our Association first conducted discussion systematically in 1869–70 on the need of Civil Service Reform, and for many years kept that subject before the people, until Congress and the national administration took decisive action. The organization now known throughout the country as the "National Conference of Charities," which meets annually and brings together the representatives of thirty States to consider the principles and the practical administration of public charities, including the care of the insane, is the offspring of this Association, which in 1874 called the first Conference in the city of New York. The National Prison Association, founded in 1876, the American Historical Association, and the American Economic Association have also been organized with our co-operation, and for three years and more we have been laboring with some success to promote the systematic teaching of the studies included under the general name of Social Science in the principal colleges and universities of America.

All these efforts, and particularly the formation of independent societies, working in their own special lines, and pursuing discussion or action farther than the parent society can carry either, have materially weakened our own organization. Our members who joined in 1865–66 have naturally been diminished by death in so many years; those who joined us in 1869–70, under the strong impulse given by the first salaried Secretary, Mr. Villard, have also become few; and, as new societies have been established, they have drawn many from our ranks or prevented accessions, so that the present list of our members is much too small for the work before us. We therefore appeal to you and to such of your friends as are

interested in the discussion of public questions in a free parliament of enlightened persons, without selfish or partisan views, to join with us in efforts to increase our membership at this time.

By our present Constitution, besides the Annual Meeting of the Association at Saratoga in September, we are at liberty to hold quarterly meetings, in connection with the sessions of the Council, in the months of March, June, and December. In this way local meetings may be assembled in the larger cities, when occasion arises, and the interest of the public is aroused in special questions of importance. It is also feasible, and might be advisable, to hold meetings in certain university towns, in connection with the delivery of lectures to advanced students, and there bring together for discussion persons thoroughly familiar with the topics there under consideration. This was a favorite plan of the late Prof. Benjamin Peirce, who presided at the meeting of our Association in Cincinnati, in 1878; and it now seems capable of being realized, since the increase of social science studies in the chief universities and many of the colleges of the United States has led to the appointment of special professors and lecturers, who address many students every year.

May I trouble you to write me, if you happen to be connected with any university or college, whether a meeting of our Association or of its Council, a list of whose members I enclose, at any future time at that college or university, would be desirable, and, if so, when; also, whether you or any of your friends would join the Association, now or at that time? A copy of our Constitution accompanies this circular. The annual meeting of the Association is regularly held at Saratoga, in September, during which our members are received at reduced rates in the United States Hotel there, which is our headquarters during the meeting.

Our Association was organized in October, 1865, at a public meeting in Boston, at which Governor Andrew, of Massachusetts, presided. Its Presidents have been Prof. W. B. Rogers, Samuel Eliot, George William Curtis, President Woolsey, David A. Wells, President Gilman, of Baltimore, Prof. Wayland, of Yale, General Eaton, of Marietta College, Hon. Carroll D. Wright, of the National Labor Bureau, and Hon. Andrew D. White, ex-President of Cornell University, who now fills the office; its secretaries, Samuel Eliot, Henry Villard, and F. B. Sanborn. It has members in nearly all sections of the United States, numbering about 300. Its object, stated briefly, is to encourage

the study of the various relations, social and political, of man in modern life; to facilitate personal intercourse and the interchange of ideas between individuals interested in promoting educational, financial, sanitary, charitable, and other social reforms and progress; and promptly to make known to the public theoretical or practical results which may flow from such studies or investigations. The Association has no funded property: its *regular* income is composed mainly of annual payments from members, which now amount to less than $1,200 *per annum*. It is thought that the time has come when we may confidently appeal to the general interest felt in Social Science throughout the country for the purpose of enlarging its list of members to 500 or 1,000. Supported in this way, and relying on a wide-spread popular feeling, it will not only stand firmer, but will accomplish its educational object far better than if supported by a few subscribers. Membership is obtained by the annual payment of five dollars. This confers the right to take part in business meetings of the Association, and to vote in election of officers, and entitles one to receive its publications free of expense. The publications consist chiefly of the "Journal of Social Science," which includes the results of the work of the Association, more especially the proceedings and papers of the General Meetings.

Publications can be obtained and information had by addressing the Secretary, F. B. SANBORN, Concord, Mass., or the Publishers for the Association, DAMRELL & UPHAM, Boston, and G. P. PUTNAM'S SONS, New York.

For the Executive Committee,

F. B. SANBORN,
Gen. Sec'y.

JOURNAL

OF

SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION

NUMBER XXV.

DECEMBER, 1888.

SARATOGA PAPERS OF 1888.

PART I.

HEALTH AND SOCIAL ECONOMY PAPERS,

WITH THE DISCUSSION ON MEDICAL EDUCATION.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

DAMRELL & UPHAM, BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK.

1888.

CONTENTS OF JOURNAL No. XXV.

	PAGE
INTRODUCTION,	v
GENERAL MEETING OF 1888,	vi
CONSTITUTION AND LIST OF OFFICERS,	ix
PRESIDENT ADAMS ON HIGHER EDUCATION,	xi
JUDGE DEXTER'S BUILDING ASSOCIATION MANUAL,	xiv
I. THE GROWTH AND PURPOSES OF BUREAUS OF STATISTICS OF LABOR. ADDRESS OF THE PRESIDENT, CARROLL D. WRIGHT,	1–14
II. PAPERS AND DEBATES OF THE DEPARTMENT OF HEALTH:	15–97
1. ADDRESS ON REQUIREMENTS FOR A MEDICAL DEGREE. DR. H. H. CURTIS,	15–20
DEBATE ON MEDICAL EDUCATION,	20–27
2. HOW FAR CAN LEGISLATION AID IN MAINTAINING A PROPER STANDARD OF MEDICAL EDUCATION? W. A. PURRINGTON,	28–42
3. THE VALUE OF A LIBERAL EDUCATION ANTECEDENT TO THE STUDY OF MEDICINE. SYLVESTER F. SCOVEL,	43–53
REMARKS OF DR. GRACE PECKHAM,	54–56
FURTHER DEBATE ON MEDICAL EDUCATION,	56–58
4. UNSANITARY CONDITIONS IN COUNTRY HOMES. DR. LUCY M. HALL,	59–74
DEBATE,	74–77
5. THE WORKING-WOMEN OF NEW YORK: THEIR HEALTH AND OCCUPATIONS. ELIZABETH STOW BROWN, M.D.,	78–89
DEBATE ON DR. BROWN'S PAPER,	89–92
6. THE STRUGGLE FOR SUBSISTENCE: HOW CAN IT BE MOST EFFICIENTLY AIDED? HENRY DWIGHT CHAPIN, M.D.,	93–96
DEBATE,	96–97
III. PAPERS OF THE FINANCE AND SOCIAL ECONOMY DEPARTMENTS:	98–177
1. ADDRESS OF THE CHAIRMAN, MR. F. B. SANBORN,	98–99
2. SAVINGS BANKS IN THE UNITED STATES. JOHN P. TOWNSEND,	100–111
3. CO-OPERATIVE BUILDING ASSOCIATIONS. REPORT OF THE SPECIAL COMMITTEE,	112–124
4. REPORT ON SAVINGS BANKS AND BUILDING ASSOCIATIONS OF ILLINOIS. PROF. J. W. JENKS,	125–138
5. CO-OPERATIVE BUILDING AND LOAN ASSOCIATIONS IN THE STATE OF NEW YORK. SEYMOUR DEXTER, ESQ.,	139–148
6. THE DANGEROUS SIDE OF BUILDING ASSOCIATIONS. MR. C. F. SOUTHARD,	149–151
7. NOTES ON PROVIDENT INSTITUTIONS IN ARKANSAS, TENNESSEE, AND TEXAS. PROF. ROBERT T. HILL,	152–157
8. LIFE INSURANCE. REPORT OF THE COMMITTEE,	158–163
HEBREW PROVIDENT INSTITUTIONS,	163–164
9. THE EARLY HISTORY OF SCHOOL SAVINGS BANKS IN THE UNITED STATES. J. H. THIRY,	165–177

JOURNAL
OF
SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION

NUMBER XXVI.
FEBRUARY 1890.

SARATOGA PAPERS OF 1889.

PART I.

JURISPRUDENCE, EDUCATION, AND SOCIAL ECONOMY PAPERS.

PUBLISHED FOR THE
AMERICAN SOCIAL SCIENCE ASSOCIATION.
DAMRELL & UPHAM, BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK.
1890.

PLEASE DO NOT REMOVE
CARDS OR SLIPS FROM THIS POCKET

UNIVERSITY OF TORONTO LIBRARY